

New Hampshire's Energy Facility Siting Process: *Report on Stakeholder and Citizen Feedback*

For the NH Office of Energy and Planning
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Chapter 1: Background, Introduction, and Overview.....	1-1
1.1 Background Leading to this Study	1-1
1.2 Overview of the Study	1-3
1.3 Focus Groups.....	1-5
1.4 Citizen Workshops	1-6
1.5 Overview of Report	1-6
Chapter 2: Focus Groups.....	2-1
2.1 Introduction and Methodology	2-1
2.2 Topic: SEC Membership & Delegation	2-6
2.3 Topic: Conduct of Proceedings	2-9
2.4 Topic: SEC Staffing.....	2-12
2.5 Topic: SEC Funding.....	2-14
2.6 Topic: Covered Facilities & Opt In.....	2-17
2.7 Topic: Public Engagement.....	2-19
2.8 Topic: Role of the Counsel for the Public.....	2-22
2.9 Topic: Required Findings.....	2-25
2.10 Topic: State Energy Policy	2-28
2.11 Topic: Environment and Natural Resource Impacts	2-31
2.12 Topic: Visual Impacts	2-33
2.13 Topic: Noise.....	2-35
2.14 Topic: Orderly Development.....	2-37
2.15 Topic: Alternative Routes.....	2-39
2.16 Topic: Alternative Sites	2-41
2.17 Summary of Focus Groups	2-43
Chapter 3: Citizen Workshops	3-1
3.1 Introduction and Methodology	3-1
3.1 Demographics	3-5
3.2 Topic: SEC Structure, Membership, and Process.....	3-7
3.3 Topic: Public Engagement.....	3-16
3.4 Topic: Noise and Visual Impacts	3-25
3.5 Topic: Alternative Routes, Sites, and Energy Policy.....	3-42
3.6 Evaluation: NH Citizen Workshops	3-50
Chapter 4: Comparative Summary of Focus Group and Citizen Workshop Results.....	4-1

4.1 SEC Structure, Membership, and Processes	4-2
4.2 SEC Decision-making Criteria	4-14

Appendices

Appendix A	Reports Referenced
Appendix B	Focus Group Attendance
Appendix C	Additional Questions Polled in Citizen Workshops
Appendix D	Workshop Public Comments
Appendix E	Listening Session Notes
Appendix F	Written Public Comments

Chapter 1: Background, Introduction, and Overview

1.1 Background Leading to this Study

On June 26, 2013, Senate Bill 99 (Chapter 134) was enacted. This law requires the Office of Energy and Planning (OEP) to undertake the following work related to the New Hampshire Site Evaluation Committee (SEC): a study of the site evaluation committee's organization, structure, and process; and a public stakeholder process to consider regulatory criteria for the siting of energy facilities.¹ SB99 required that the project seek to identify deficits and needs, including but not limited to, funding, technology expertise, committee membership, staffing, the roles of municipalities and public in SEC proceedings, and the role of Counsel to the Public.

OEP issued a Request for Proposals on July 22, 2013, and received proposals from five bidders. OEP assembled a review team that included legislators and state agency representatives, which ultimately selected Raab Associates, Ltd. in partnership with the Consensus Building Institute (CBI) and with assistance from Rubin and Rudman, as the winning bidder (the consulting team). On September 18, 2013 the contract with Raab Associates was approved by the Governor and Executive Council.

1.1.1 Brief Background on the SEC

The New Hampshire Site Evaluation Committee (SEC) has jurisdiction over proposed energy generation facilities exceeding 30 megawatts (MW) in capacity, as well as other types of projects related to the delivery or production of energy (see RSA 162-H:2). Certain parties may also request that the SEC take jurisdiction over other projects under certain circumstances. As a result, the SEC may review generation plants, for example, that are smaller than 30 MW.

The SEC statute requires that eight state agencies sit on the SEC, comprised of 15 total members. The Legislature created the SEC in recognition of the state's requirements for an adequate and reliable supply of electricity and the effect that the siting and construction of energy facilities has on the public welfare, economic growth, the environment and the use of natural resources. In doing so, the legislature found that the public interest requires:

- 1) a balance between the environment and the need for new energy facilities;
- 2) elimination of delay in the construction of new facilities;
- 3) full and timely consideration of environmental consequences;
- 4) transparency and complete disclosure of plans; and
- 5) sound land use planning where all environmental, economic and technical issues are resolved on an integrated basis.

In response to applications from energy project developers, the SEC, as a body, must find based on the record that:

¹ The bill also requires the SEC to promulgate siting rules for effect on January 1, 2015.

- The applicant has adequate financial, technical, and managerial capability to assure construction and operation of the facility in continuing compliance with the terms and conditions of the certificate.
- The site and facility will not unduly interfere with the orderly development of the region with due consideration having been given to the views of municipal and regional planning commissions and municipal governing bodies.
- The site and facility will not have an unreasonable adverse effect on aesthetics, historic sites, air and water quality, the natural environment, and public health and safety.

Each agency that has permitting authority over a particular issue (e.g., the Department of Environmental Services for wetlands) conducts its usual review process and submits permit conditions to the SEC for consideration for inclusion in the SEC-issued Certificate of Site and Facility if the SEC approves the project.

If the SEC votes to approve a facility, it grants a Certificate of Site and Facility, often with conditions. Consistent with the criteria listed above, a party proposing a project must demonstrate that it has adequate financial, technical, and managerial capability, that the project will not unduly interfere with the orderly development of the region, and that the project will not have an unreasonably adverse effect on aesthetics, historic sites, air and water quality, the natural environment, and public health and safety (see more detail below).

The SEC's fifteen members from eight state agencies include:

- Department of Environmental Services (DES), Commissioner
- DES Director of Water Division
- DES Director of Air Division
- Public Utility Commission (PUC), 3 Commissioners and a staff engineer designated by the PUC Commissioners
- Department of Resources and Economic Development (DRED), Commissioner
- DRED Director of Parks and Recreation
- DRED Director of Division of Forests and Lands
- Department of Health and Human Services, Commissioner
- Fish and Game Department, Executive Director
- Governor's Office of Energy and Planning, Director
- Department of Transportation, Commissioner
- Department of Cultural Resources, Commissioner

Some members may designate other staff within their agency to participate in proceedings on their behalf.

1.2 Overview of the Study

The consulting team worked for the Office of Energy and Planning (OEP), with guidance provided by many stakeholders as discussed below. The three key components of this study included:

- Researching the current approach of the NH SEC to siting energy facilities and the approach of other Northeastern states to these matters
- Conducting seven Focus Groups to obtain structured feedback on the current challenges and options to address them (In total, 69 individuals from 61 stakeholder organizations, agencies, or entities participated in these focus groups)
- Conducting five Citizen Workshops around the state to obtain structured feedback on key topics and options identified and refined during the study process (312 citizens participated in these workshops)

The consulting team sought advice throughout the process from a diverse group known as the Coordinating Committee. The Coordinating Committee was comprised of a range of stakeholders with an interest in and knowledge of the SEC and energy facility siting in New Hampshire Table 1-1 below lists the Coordinating Committee members. The Coordinating Committee provided advice and input on a range of issues, including the advantages and challenges of the current siting process, the makeup of focus groups, the draft options and challenges developed from the initial research that would be tested with stakeholders and citizens, the format and locations for the citizen workshops, and the form and style of the final report. Please note that the Coordinating Committee was advisory only. It did not seek agreement among its ad hoc members; rather, it offered a range and diversity of advice. All final decisions as to process and written documents were the responsibility of the consulting team and OEP. The Committee provided invaluable input and helped to bring diverse perspectives to the project.

Table 1-1: Coordinating Committee Members

Senator Jeanie Forrester (R-Senate District 2)	Susan Arnold, Appalachian Mountain Club
Representative Suzanne Smith (D-Grafton District 9)	Janet Besser, New England Clean Energy Alliance
David Shulock, NH Public Utilities Commission	Jeff Hayes, North Country Council
Mike Wimsatt, NH Department of Environmental Services	Tom Getz, Devine Millimet and former SEC Vice-Chair
Peter Roth, NH DOJ, Counsel for the Public	Huck Montgomery, IBEW Local 409
Doug Patch, Orr and Reno, and former SEC Vice-Chair	Christophe Courchesne, Conservation Law Foundation

The following sections describe each of the three components of this study in more detail.

1.2.1 Research

To provide a detailed overview of the current New Hampshire SEC process and to compare New Hampshire's siting process to those of other states, the consulting team undertook research into the current SEC process and how other Northeastern states address similar issues. The consulting team prepared two reports: *Multi-State Energy Facility Siting Review* and the *New Hampshire Siting Process*.

The multi-state report included a review of the siting process in seven states--New Hampshire, Connecticut, Maine, Massachusetts, Rhode Island, Vermont, and New York. The report covers three topics: 1) structure and authority of each state's siting agency or body; 2) process for engaging the public and affected communities, and the process for making decisions; and 3) criteria used for decision-making. To gather this information, the consulting team reviewed existing summaries of state siting processes, enabling legislation, and government and other websites. This study was not intended to serve as comprehensive research into each state's written policies and practices, but rather, as a compilation of several states' approaches to selected aspects of the siting process to provide the New Hampshire legislature and citizens with useful background information. While some comparative studies existed prior to this effort, no previous study gathered and organized information on the full range of both process and substantive concerns of interest to New Hampshire.

For the New Hampshire report, the consulting team reviewed written materials, including the enabling statute and many cases and materials found on the SEC website. In addition, the team interviewed numerous individuals across stakeholder groups with a specific knowledge of the SEC and New Hampshire's energy facility siting process. The two reports can be found in Appendix A.

In addition, the consulting team scanned national and regional studies on best practices in energy facilities siting, including work published by National Association of Regulatory Utility Commissioners (NARUC), Edison Electric Institute (EEI), National Governors Association, U.S. DOE, U.S. Fish and Wildlife and many others. An abstract of the studies reviewed can be found in Appendix A. Many of these studies focused on subject matter outside the purview of this project.

1.3 Focus Groups

In November 2013, the consulting team convened and facilitated seven stakeholder focus groups in order to gather structured feedback on a wide range of topics related to the SEC structure, membership, processes, and decision-making criteria. The stakeholder groups, which included almost 70 individuals from over 60 organizations, agencies, and other entities, were grouped as follows: Citizen Groups & Local Government; Environmental & Natural Resources; Business, Industry & Labor; Transmission & Pipelines; Generators (non-wind); Wind Developers; and State Agencies.

These groupings were designed to provide a range of perspectives on SEC related issues, and to allow for frank interchange among stakeholders with similar affiliations and interests.

The goal of each focus group was to obtain feedback on stakeholders' priorities among a number of topics, and then to identify preferences among several options under each topic. Altogether there were 15 different topics—eight related to decision-making criteria and seven related to SEC structure, memberships, and processes. These topic areas and options were developed via: 1) background research on NH and Northeastern States; 2) individual interviews with Legislators and stakeholders; and 3) input from the Coordinating Committee. The 15 topics discussed during the focus groups are shown below.

Table 1-2: Focus Group Topics

SEC Structure, Membership, & Processes	SEC Decision-making Criteria
SEC Membership and Delegation	Required Findings
Conduct of Proceedings	State Energy Policy
SEC Staffing	Orderly Development
Source of Funding	Visual Impacts
Covered Facilities & Opt-Ins	Noise
Public Engagement	Environmental and Natural Resource Impacts
Role of the Counsel for the Public	Alternative Routes (Transmission/Pipelines)
	Alternative Sites (Generating Facilities)

The focus groups included brief presentations by the consulting team, discussion among the focus group participants, and then polling to determine each individual participant's preferences among the various options under each topic.

1.4 Citizen Workshops

In December 2013 the consulting team facilitated five citizen workshops throughout New Hampshire to gather structured feedback on the SEC, its process, and the criteria for decision-making.

Citizens of New Hampshire were invited to attend one of five workshops, preferably at the location closest to where they live:

- December 3, 2013 at the Manchester Memorial High School Cafeteria
- December 4, 2013 at the Groveton High School Gymnasium
- December 5, 2013 at the City of Keene Recreation Center
- December 9, 2013 at the Town of Newington Main Hall
- December 10, 2013 at the Plymouth High School

Each workshop covered the same four topics, and used the same process. The four topics covered were:

- Public Engagement Process
- Noise and Visual impacts
- State Energy Policy and Alternative Routes and Sites
- SEC Membership and Size

For each topic, the consulting team provided a brief presentation on the current SEC process, arguments for and against the status quo, a list of alternative options, and a few discussion questions. Participants then discussed each topic in small groups of 5-8 citizens. Following the discussions, participants were surveyed using keypad polling devices to gather structured feedback on questions and options. The options presented in the Citizen Workshop were developed and honed by the consulting team and OEP and based on the research, Focus Group responses, and input from the Coordinating Committee.

1.5 Overview of Report

The report includes four Chapters and seven Appendices organized as follows:

- Chapter 1 is the introduction and background;
- Chapter 2 is on the seven Focus Groups, including their design, and the results stemming from the Focus Group polling;
- Chapter 3 is on the Citizen Workshops, including their design, and the results of the citizen polling;
- Chapter 4, the concluding chapter, highlights areas of convergence across the focus groups, across the citizen workshops, and between the focus groups and the citizen workshops; and
- The Appendices contain the documents referenced in Chapters 1-3, as well as all comments received.

Chapter 2: Focus Groups

2.1 Introduction and Methodology

In November 2013, seven stakeholder focus groups were facilitated by the consulting team to gather structured feedback on a wide range of topics related to the SEC structure, membership, processes, and decision-making criteria.

The focus groups sought to obtain feedback from a diverse set of stakeholder interests as described in Table 2-1. The stakeholder groupings were selected to provide a range of perspectives on SEC related issues, and to allow for frank interchange among stakeholders with similar affiliations and interests. The size of the focus groups varied from five organizations/entities with eight participants, to 15 organizations/entities and 15 participants. Altogether, 61 different organizations/entities participated in the focus group process, which included 68 participants.² The selection of these stakeholder groups was guided by the advice of OEP and the Coordinating Committee. A complete list of all of the organizations/entities and the individuals from each organization/entity can be found in Appendix B.

Table 2-1: Focus Group Cluster and Size

Focus Group	Number of Participants	Number of Organizations/Entities
Environmental/Natural Resources	15	12
Business/Industry/Labor	8	7
Transmission/Pipelines	7	6
Generation (non-wind)	8	8
Wind Developers	7	7
State Agencies	8	5
Citizen Groups/Local Government	15	15
TOTAL	68	61

The goal of each focus group was to obtain feedback on stakeholders' priorities among a number of topics, and then to identify preferences among several options under each topic.

² When multiple people from a single organization/entity participated in a focus group, that organization/entity still only had one "vote" in the various polling exercises.

Altogether there were 15 different topics each with its own challenge statement—eight related to decision-making criteria and seven related to SEC structure, memberships, and processes. These topic areas and options were developed via: 1) background research on NH and Northeastern States; 2) individual interviews with Legislators and other stakeholders; and 3) input from the Coordinating Committee. The 15 topics discussed during the focus group process are shown in Table 2-2. The challenges associated with each topic can be found in the NH SEC Report in Appendix A.

Table 2-2: Focus Group Topics

SEC Structure, Membership, & Processes	SEC Decision-making Criteria
SEC Membership and Delegation	Required Findings
Conduct of Proceedings	State Energy Policy
SEC Staffing	Orderly Development
Source of Funding	Visual Impacts
Covered Facilities & Opt-Ins	Noise
Public Engagement	Environmental and Natural Resource Impacts
Role of the Counsel for the Public	Alternative Routes (Transmission/Pipelines)
	Alternative Sites (Generating Facilities)

Each focus group was conducted using the same format. After a brief introduction, background, and ground rules, each group focused separately on SEC Structure, Membership, and Processes and on SEC Decision-making Criteria. Each discussion began with a brief review of the topics and related challenges by the focus group facilitator, followed by a discussion among the participants regarding which of the topics/challenges were most important and which were less important to them.

Following their discussion, each organization/entity was given four blue “polling dots” to distribute among seven or eight topics based on importance to their organization/entity.³ The dots were then tallied for the focus group, and the topics with the highest level of support were discussed first and given more time than the topics that received the least support, and hence determined to be lower priorities for that particular focus group. The results from the prioritization exercises for each focus group is available in Tables 2-3 and 2-4, which also include the average level of support for each topic across all seven focus groups, and the total

³ The four sticky dots could be spread over four different topics/challenges or concentrated in one or more topic/challenge. Please note that “importance” to a particular organization could either be because it supports the status quo but is concerned that others will advocate for changes they may find unacceptable, or because it believes that the status quo needs to be changed.

percent of votes cast of all focus group participants. This provides both a sense of the priority of all individuals who participated (All Participants), and also provides a sense of the “average” priority of the sectors (Average of 7 Focus Groups-equally weighted).

Table 2-3 Focus Group Priorities: SEC Structure, Authority, & Processes⁴

	Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	All Responses
SEC Membership and Delegation	23%	32%	18%	21%	43%	22%	35%	28%	27%
Conduct of Proceedings	11%	21%	14%	4%	0%	12%	15%	11%	11%
SEC Staffing	19%	18%	5%	18%	14%	8%	20%	15%	14%
Source of Funding	19%	21%	14%	21%	0%	17%	10%	15%	15%
Covered Facilities & Opt-Ins	2%	2%	23%	14%	7%	8%	0%	8%	8%
Public Engagement	21%	2%	9%	11%	14%	23%	15%	14%	16%
Role of the Counsel for the Public	4%	4%	18%	11%	21%	10%	5%	10%	10%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%

For five of the focus groups (Environmental/Natural Resources; Business/Industry/Labor; Generation (non-wind); Wind Developers; and State Agencies) the most important topic was the SEC Membership & Delegation. For the Transmission/Pipelines focus group the most important topic was Covered Facilities & Opt-Ins, while for the Citizen Groups and Local Government focus groups, it was Public Engagement.

Averaging the results of all of the focus groups and calculating the percent results from all responses revealed that SEC Membership and Delegation was the topic that received the most interest, with nearly double the support of the next highest topic/choice. Covered Facilities and Opt-Ins received the least interest averaged across all the focus groups and focus group participants.⁵

⁴ Focus Group abbreviations used in this chapter are as follows: Enviro/NR (Environmental/Natural Resources); Biz/Labor (Business/Industry/Labor); Trans/Pipe (Transmission/ Pipelines); Gen (Generation (non-wind)); Wind (Wind Developers); Local (Citizen Groups/Local Government); State (State Agencies).

⁵ The average of percent results across the seven focus groups, while accurate, can be viewed as giving greater weight to the preferences of the energy facility developers/business focus groups, since they represent four of the seven focus groups. To balance this potential bias and to provide another important view of the data, we also included the percent responses of all participants without regard to which focus group they participated in. Since the environmental/natural resource and citizen group/local government focus groups each had many more participants than each of the other groups, this statistic favors those larger focus groups. In many instances these two statistics were very similar. There was also substantial variability both within focus groups and across focus groups on different topics.

Table 2-4 Focus Group Priorities: SEC Decision-making Criteria

	Enviro /NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	All Responses
Required Findings	25%	32%	5%	18%	36%	15%	23%	22%	22%
State Energy Policy	25%	25%	27%	18%	4%	15%	14%	18%	18%
Orderly Development	2%	4%	9%	21%	4%	17%	18%	11%	10%
Visual Impacts	6%	7%	18%	18%	25%	17%	18%	16%	15%
Noise	2%	7%	0%	7%	14%	3%	9%	6%	5%
Environmental and Natural Resource Impacts	21%	7%	0%	11%	14%	15%	0%	10%	12%
Alternative Routes (Transmission/Pipelines)	11%	11%	27%	0%	0%	12%	9%	10%	10%
Alternative Sites (Generating Facilities)	9%	7%	14%	7%	4%	7%	9%	8%	8%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%

For the same five focus groups as above (Environmental/Natural Resources; Business/Industry/Labor; Generation (non-wind); Wind Developers; and State Agencies) the most important topic/challenge was the Required Findings.⁶ For the Transmission/Pipelines focus group the most important topic/challenge was tied between State Energy Policy and Alternative Routes, while for the Citizen Groups/Local Government focus group it was also a tie, but between Orderly Development and Visual Impacts.

Averaging across all the focus groups and across all the focus group participants, the topics of Required Findings, followed by State Policy, and then Visual Impacts, held the highest level of interest. Meanwhile, Noise had the lowest level of interest, followed by Alternative Sites--averaged across all the focus groups and focus group participants.

In each focus group, we discussed each topic/challenge, beginning with the ones of greatest interest to that particular focus group first, going through as many topics/challenges as time allowed. Prior to the focus group discussion for each topic/challenge, the facilitator reviewed the range of options beginning with the status quo. Because we wanted input on the breadth of options already identified, and to provide a means to include new options during the course of the ensuing discussion if there was an option that multiple focus group participants preferred to the ones presented, that option was added to the list of choices for that focus group as well as the other focus groups.⁷ The discussion on each topic/challenge allowed time for the focus

⁶ Although the Environmental /Natural Resource focus group had a tie between Required Findings and Energy Policy; and the Generation (non-wind) focus group had a three-way tie between Required Findings, Energy Policy, and Visual Impacts.

⁷ New options were added to the options for subsequent focus groups, and participants in focus groups that had already taken place were given an opportunity to poll on the additional options (although they were only polled on

group participants to discuss the relative merits of each option--often including differing views among the participants on the various options.

After the discussion on each topic, focus group participants were polled on that topic/challenge. The polling for each topic included two different polling methods. The first method asked the participant to choose all options that were acceptable (i.e., they could support), while the second asked the participant to identify their “first choice” among all their acceptable options. These are two well tested polling/voting methods known respectively as approval voting and preference voting. The options under every topic/challenge were polled, even if the focus group ran out of time before engaging in a detailed discussion about one or more of that focus group’s lower priority topics/challenges. The polling was anonymous within the room; participants didn’t reveal their choices to the focus group.

The following tables and text summarize the polling results for each of the 15 topics/challenges. Under each topic/challenge there are two polling tables—one with the results of “acceptable choice” polling and the other with the results of “first choice” polling. In both tables there is a separate column with the results from each of the seven focus groups, one column that shows the average of the percent results across all seven focus groups (equally-weighted by the seven focus groups), and another column that shows the percent of all focus group participants (regardless of which focus group they participated in) who selected that option. All of the results are expressed as percentages, with the first choice percentages down any column adding up to 100% and the acceptable choice percentages being anywhere in the range of 0% to 100% for each cell (100% meaning everyone in that focus group polled on that option as something they could approve, support, or “live with.”) In the first choice matrices, the first choice percentages in each column are highlighted, while in the acceptable choice matrices we have highlighted all the percentages that received 50% or more (i.e., majority) support.

At the bottom of some of the matrices, one or more option is highlighted in yellow, indicating that this option was not one of the original options but was added by a focus group and then added in subsequent focus groups and re-polled for acceptable choice only to focus groups that had already taken place. In the tables where re-polling occurred, NP indicates “not polled” since we didn’t re-poll the first choice options, and NR means “no response” when participants in a particular focus group didn’t provide a response regarding a particular re-polled option during the time allowed.⁸

At the end of the chapter we highlight the areas of convergence and divergence found within the following 15 topics.

whether the new option was “acceptable” or not, but not re-polled on their first choice option). Eight options were added by focus groups across the 15 topics during the course of the focus groups.

⁸ Because of time constraints, focus group participants were given less than a week to poll on new options proposed subsequent to their focus group meeting and were sent only one notice. Responses on newly polled options ranged from no responses in one focus group to one-third to half the participants responding in several of the other focus groups. Therefore, in every case, the responses in the re-polled options had significantly less participants weighing in than options polled during the original focus group meetings.

2.2 Topic: SEC Membership & Delegation⁹

SEC Membership and Delegation--Acceptable Choices

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	SEC includes 15 high-level state officials from 8 agencies. Some members may designate a deputy or other high level official in their agency to sit in their place but not all can delegate.	0%	0%	67%	43%	14%	7%	60%	27%	21%
OPTION 2	Change Membership from 15 to 8 (only one Member from each agency)	33%	100%	50%	86%	29%	40%	20%	51%	48%
OPTION 3	Change Membership from 8 Agencies to 2-3 agencies (PUC,DES, Other?) responsible for running the proceedings and deciding	75%	67%	50%	71%	100%	27%	20%	59%	57%
OPTION 4	Transfer responsibility to one Agency (e.g., PUC) responsible for running the proceedings and deciding	42%	100%	33%	29%	86%	33%	60%	55%	50%
OPTION 5	Create free-standing council or commission separate from and not including existing state agencies	58%	33%	0%	14%	0%	60%	60%	32%	38%
OPTION 6	Supplement Agency Members with non-Agency Members (i.e., regional representation and/or public members)	58%	67%	17%	14%	43%	80%	20%	43%	50%

SEC Membership and Delegation--First Choice

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	SEC includes 15 high-level state officials from 8 agencies. Some members may designate a deputy or other high level official in their agency to sit in their place but not all can delegate.	0%	0%	50%	29%	0%	7%	40%	18%	14%
OPTION 2	Change Membership from 15 to 8 (only one Member from each agency)	0%	67%	17%	29%	0%	20%	20%	22%	19%
OPTION 3	Change Membership from 8 Agencies to 2-3 agencies (PUC,DES, Other?) responsible for running the proceedings and deciding	50%	0%	17%	43%	57%	0%	20%	27%	26%
OPTION 4	Transfer responsibility to one Agency (e.g., PUC) responsible for running the proceedings and deciding	0%	33%	17%	0%	43%	7%	0%	14%	12%
OPTION 5	Create free-standing council or commission separate from and not including existing state agencies	33%	0%	0%	0%	0%	40%	20%	13%	19%
OPTION 6	Supplement Agency Members with non-Agency Members (i.e., regional representation and/or public members)	17%	0%	0%	0%	0%	27%	0%	6%	10%
Total		100%	100%	100%	100%	100%	100%	100%	100%	100%

⁹ "Average of 7 Focus Groups (equally weighted)" was derived by adding the % for each option and dividing by seven. The "Average of all Participants (equally weighted)" was derived by taking the total participants who chose a particular option, and dividing by the total number of those who polled on that topic.

2.1.1 Discussion of Status Quo

Two of the seven focus groups and 14% across all focus group participants ranked the 15 Member, 8 Agency SEC make-up (Option 1/Status Quo) as their first choice. The other five focus groups and over 85% average of all focus group participants designated as their first choice either a smaller SEC (with fewer Members, fewer Agencies, or both) (Options 2, 3 & 4) or a new free-standing council not tied to any agency (Option 5) or supplementing Agency Members with public, non-Agency Members (Options 6).

For those supportive of maintaining the status quo (Option 1), which included both participants in the Transmission/Pipelines and State Agency focus groups, where 50% and 40%, respectively, selected this as their first choice and 21% of all focus group participants that found the status quo “acceptable”, the reasons given included:

- NH has the largest Legislature in the country, so not unusual to have large committees to do work here in NH
- Having so many agencies and Members engaged assures broad expertise available to draw from, multiple state perspectives, and supports the original intent of the statute that is a one-stop shop for everyone
- Not all Members’ expertise is needed on each case, so maybe it’s better to focus on allowing smaller subcommittees than on changing the membership

For the 79% of all focus group participants who felt that the status quo was not “acceptable”, the reasons given included:

- It is overwhelming state agencies, and draining staff and leaders who have many other duties and do not receive any funding to participate on the SEC
- It’s difficult to coordinate 15 Members’ schedules to ensure a quorum at the hearings, resulting in a longer overall timeframe than necessary to hear and decide cases (and often with months between hearings/meetings)
- Tying up 15 high-ranking Members on siting cases pulls them away from their other work obligations, and since they are sitting in quasi-judicial role, they aren’t permitted to consult with their staff on issues before them
- Continuity and institutional memory is actually adversely affected by the size, since those making up quorum or sitting on subcommittees is constantly shifting
- Better to have core group of decision-makers who can sort through information and decide. Other agencies can provide input as needed (e.g., give testimony)

2.2.1 Discussion of Alternatives

The leading alternative option for changing the make-up of the SEC involved some variation of making the SEC smaller. The first choice of the Environmental/Natural Resources, Generation (non-wind), and Wind Developers was to change the Membership from 8 Agencies to 2-3 Agencies (Option 3), while the first choice of the Business/Industry/Labor focus group was to reduce the membership from 15 to 8. (Option 2) It is also worth noting that a majority in five of the seven focus groups and 57% of all the participants found acceptable the option to change

the membership from 8 to 2-3 agencies. According to the supporters of reducing the size of the SEC (Options 2, 3, & 4), the main benefits of these options included:

- Reducing from 15 Members to 8
 - An 8 Member panel with 5 person quorum would be much more nimble than 15 Members
 - If go to 8 Member SEC, they don't all have to be from 8 agencies (e.g., could have 2 from PUC, 2 from DES, and 4 from other agencies)
- Reducing to 2-3 Agencies
 - Having 2-3 agencies would be much more efficient (perhaps PUC, DES, and DRED), and could then bring other agencies in to provide testimony or evidence as needed
 - Could have 3 agencies but 5 Members (3 PUC Commissioners who bring differing expertise, DES Chair, and DRED Commissioner)
- Reduce to PUC
 - Makes a lot of sense to have PUC run process. They have energy facility expertise, are used to running adjudicatory proceedings and adhere to precedence, and are more insulated than commissioners in other agencies
 - Prefer to house at PUC and have PUC staff it, but still could have several agencies as decision-makers

Another option, which was the first choice of the Citizen Groups/Local Government focus group and also found “acceptable” by a majority in the Environmental/Natural Resources and State Agency focus groups, was to create a free-standing council or commission separate from and not including existing state agencies (Option 5).

Finally, the option of supplementing agency members with non-agency members, such as a regional representative and/or public member, who could potentially be added to any of the configuration in the other options including the status quo (Option 6), was not the first choice of any focus group but was considered acceptable by a majority of participants in the Environmental/Natural Resources, Business/Industry/Labor, and Citizen Groups/Local Government caucuses. Key points made:

- If we have two, one can be from the region a particular facility is proposed to be sited and another outside the region.
- Might be preferable to have one non-Agency member representing the public (e.g., elder statesperson). For instance, NY siting commission is working very well with public representative.
- Would like to have hybrid, both fewer members total and include non-agency members.
- If public members are on the SEC, the Public Counsel may no longer be necessary.

2.3 Topic: Conduct of Proceedings

Conduct of Proceedings--Acceptable Choices

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	The SEC Members often all sit to hear a full case. For energy facility applications, the chairperson may designate a subcommittee of no fewer than seven members to consider the application. But for renewable applications, the chairman shall designate a subcommittee, which has full authority to make decisions and issue certificates	20%	71%	67%	71%	29%	40%	0%	43%	42%
OPTION 2	Require SEC Chair to designate Members to subcommittees to represent SEC for all projects (not just for renewable projects)	30%	71%	100%	86%	0%	90%	80%	65%	63%
OPTION 3	Have hearing officer develop evidentiary record and develop issues memo without making recommendations to SEC Members	100%	43%	50%	43%	57%	60%	40%	56%	60%
OPTION 4	Have administrative law judges hear cases, and make recommendations to SEC Members for final decisionmaking	80%	14%	17%	29%	57%	40%	40%	40%	42%
OPTION 5	Clarify intervenor standards and procedures	83%	NR	100%	100%	100%	90%	20%	82%	81%

Conduct of Proceedings--First Choice

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	The SEC Members often all sit to hear a full case. For energy facility applications, the chairperson may designate a subcommittee of no fewer than seven members to consider the application. But for renewable applications, the chairman shall designate a subcommittee, which has full authority to make decisions and issue certificates	10%	43%	17%	43%	0%	20%	0%	19%	19%
OPTION 2	Require SEC Chair to designate Members to subcommittees to represent SEC for all projects (not just for renewable projects)	0%	43%	83%	29%	0%	40%	60%	36%	33%
OPTION 3	Have hearing officer develop evidentiary record and develop issues memo without making recommendations to SEC Members	30%	14%	0%	29%	0%	10%	20%	15%	15%
OPTION 4	Have administrative law judges hear cases, and make recommendations to SEC Members for final decision-making	60%	0%	0%	0%	14%	0%	0%	11%	13%
OPTION 5	Clarify intervenor standards and procedures	NP	NP	NP	NP	86%	30%	20%	NC	NC

Total		100%	100%	100%	100%	100%	100%	100%		
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2.3.1 Discussion of the Status Quo

Two focus groups (Business/Industry/Labor & Generation (non-wind)) ranked the status quo/Option 1, whereby the SEC Members directly hear the full application proceeding but can designate a subcommittee of Members (and must do so for renewable applications) as their first choice. The other five focus groups, and over 80% of all focus group participants, selected something other than the status quo as their first choice.

- Transmission/Pipelines, Citizen Groups/Local Government, State Agencies, and Business/Industry/Labor¹⁰ focus groups' first choice was to require a subcommittee delegation for all cases (Option 2);
- Environmental/Natural Resource focus group's first choice was to have an administrative law judge hear cases and make recommendations to the Members, (Option 4); and
- State Agency focus group's first choice was to clarify intervenor standards and procedures (Option 5).

For those who consider the status quo "acceptable" including a majority of the Generation (non-wind), Business/Industry/Labor, and Transmission/Pipelines focus groups and 42% across all the participants, the reasons include:

- Chair already has the discretion to form subcommittees on non-renewable applications
- If hearing officer or administrative law judge hears cases instead of Members, then decision-makers aren't hearing directly from applicant and public

2.3.2 Discussion of Alternatives

A majority in five of the seven focus groups (Business/Industry/Labor, Transmission/ Pipelines, Generation (non-wind), Citizens Groups/Local Government, and State Agencies) and nearly two-thirds of all focus group participants supported (through acceptable choice polling) requiring the SEC Chair to designate subcommittees for all applications, not just for renewables (Option 2). The rationale heard in the focus groups included:

- While the Chair already has the option to appoint subcommittees for non-renewable applications, it is not always done and should be required
- If subcommittees were always used, could allow for continuing to have larger SEC membership than otherwise

¹⁰ Business/Industry/Labor had tie for first choice between Options 1 and 2.

Regarding having a hearing officer developing the evidentiary record (i.e., conducting the hearing process) but not making recommendations (Option 3), a majority in four of the focus groups (Environmental/Natural Resources, Transmission/Pipelines, Wind Developers, and Citizen Groups/Local Government) as well as 60% of all focus group participants found this option acceptable. By contrast, the option of taking it one step further by having a hearing officer or administrative law judge conduct the hearings and also make recommendations was supported by a majority in only two focus groups, (Environmental/Natural Resources and Wind Developers), and by less than 50% of all focus group participants.

Some of the comments on these options included:

- Having a hearing officer or administrative law judge would greatly reduce time commitment of Members on each case
- The volume of materials makes it challenging for members to review and digest it all, and attendance at hearings changes from hearing to hearing—would benefit from focused, dedicated hearing officer or administrative law judge hearing case and building evidentiary record
- Focus for Members would therefore be on making decisions, rather than building the record

A final option (Option 5) suggested during a later focus group (and re-polled to other focus groups) on the need to clarify intervenor standards and procedures had an overwhelming majority of support in five of the six focus groups polled (only a majority in the State Agency focus group didn't support it), as well as support from over 80% of all focus group participants polled. A comment on this option was:

- The rules and procedures related to intervention by the public and towns is often confusing and not always perceived as consistent, and could benefit from clearer standards and procedures

2.4 Topic: SEC Staffing

SEC Staffing--Acceptable Choices

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	No dedicated staff to assist the SEC; Legal Counsel, DES administrative assistant, and stenographer costs are reimbursed by the applicant, hired/funded on an ad hoc, case by case basis	0%	14%	100%	57%	33%	7%	0%	30%	23%
OPTION 2	Hire dedicated, permanent staff to support/administer SEC (counsel, clerk)	83%	86%	60%	86%	83%	93%	60%	79%	82%
OPTION 3	Hire dedicated, permanent staff to support and provide substantive assistance to the SEC (potentially including recommendations)	100%	71%	40%	71%	33%	64%	100%	69%	71%
OPTION 4	Hire dedicated, permanent staff to monitor and enforce permits and conditions	83%	0%	20%	0%	17%	79%	40%	34%	45%

SEC Staffing--First Choice

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	No dedicated staff to assist the SEC; Legal Counsel, DES administrative assistant, and stenographer costs are reimbursed by the applicant, hired/funded on a ad hoc, case by case basis	0%	0%	40%	14%	33%	0%	0%	13%	9%
OPTION 2	Hire dedicated, permanent staff to support/administer SEC (counsel, clerk)	17%	57%	40%	29%	67%	57%	0%	38%	39%
OPTION 3	Hire dedicated, permanent staff to support and provide substantive assistance to the SEC (potentially including recommendations)	83%	43%	20%	57%	0%	21%	100%	46%	46%
OPTION 4	Hire dedicated, permanent staff to monitor and enforce permits and conditions	0%	0%	0%	0%	0%	21%	0%	3%	5%

Total		100%	100%	100%	100%	100%	100%	100%	100%	100%
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2.4.1 Discussion of the Status Quo

Only one focus group and less than 10% of all focus group participants supported as their first choice the status quo (Option1) of the SEC having no dedicated staff to assist it (except for legal counsel hired under contract, a stenographer, and administrative assistant used as needed). The other six focus groups and over 90% of focus group participants did not support the status quo as their first choice. The first choice of the other focus groups were split evenly between hiring dedicated staff to just provide support and administer the process (Option 2) and also having dedicated staff to provide substantive assistance (potentially including developing recommendations) (Option 3).

2.4.2 Discussion of Alternatives

In the acceptable choice polling, a majority of every focus group and over 80% of all the participants supported hiring dedicated, permanent staff to support the SEC. (Option 2) Five of the seven focus groups and over 70% of focus group participants supported also having dedicated, permanent staff to provide substantive assistance as well (Option 3). A majority in two focus groups (Environmental/Natural Resources and Citizen Groups/Local Government) also supported having dedicated permanent staff to monitor and enforce permits and conditions (Option 4), while the other focus groups expressed less preference for this option.

Some of the comments regarding the hiring of dedicated, permanent staff included:

- Hard to figure out how to staff a committee that meets in fits and starts
- Although the workload fluctuates, it still makes sense to have permanent staff—they don't have to be full time
- Having at least one permanent staff person to manage the entire process in a consistent fashion will benefit both the applicant and the SEC
- Having permanent staff that could summarize and potentially advise on substantive issues makes sense, but making recommendations may challenge some of the transparency needs
- Can potentially hire people on case by case basis to monitor and enforce or use agency staff—less critical than core staff to manage the process

2.5 Topic: SEC Funding

Source/Level of Funding--Acceptable Choices

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	The SEC has no dedicated budget; applicants pay for studies and counsel and experts for NH; and each Agency covers its own SEC member and staff time	25%	0%	100%	86%	57%	21%	0%	41%	37%
OPTION 2	Expand current applicant invoicing to cover SEC Member agency staff and Counsel for the Public time not currently reimbursed	83%	29%	20%	14%	0%	57%	100%	43%	47%
OPTION 3	Levy a standardized application fee (tailored to type and size of facility) to cover some or all SEC costs	100%	100%	80%	71%	71%	100%	40%	80%	86%
OPTION 4	Charge operating energy facilities an assessment fee to cover some or all SEC costs	33%	29%	40%	0%	14%	43%	60%	31%	32%
OPTION 5	State appropriation to cover some or all SEC costs	67%	71%	80%	100%	71%	79%	0%	67%	70%

Source/Level of Funding--First Choice

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Avg. of 7 Focus Grps. (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	The SEC has no dedicated budget; applicants pay for studies and counsel and experts for NH; and each Agency covers its own SEC member and staff time	0%	0%	40%	43%	14%	0%	0%	14%	11%
OPTION 2	Expand current applicant invoicing to cover SEC Member agency staff and Counsel for the Public time not currently reimbursed	42%	0%	0%	0%	0%	14%	100%	22%	21%
OPTION 3	Levy a standardized application fee (tailored to type and size of facility) to cover some or all SEC costs	58%	100%	20%	0%	29%	54%	0%	37%	43%
OPTION 4	Charge operating energy facilities an assessment fee to cover some or all SEC costs	0%	0%	0%	0%	0%	0%	0%	0%	0%
OPTION 5	State appropriation to cover some or all SEC costs	0%	0%	40%	57%	57%	32%	0%	27%	25%

Total		100%	100%	100%	100%	100%	100%	100%	100%	100%
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2.5.1 Discussion of Status Quo

The SEC has no dedicated budget, but applicants pay for studies and SEC counsel, stenographer, and administrative support on a case-by-case basis, with agencies on the SEC covering the salaries of Members and agency staff. Only one focus group and 11% across all focus group participants support the status quo (Option 1) as their first choice. The other six focus groups and almost 90% of all focus group participants support supplementing the amount of funding, or replacing the source of the funding, or both, as their first choice regarding funding the SEC.

The status quo (Option 1) of relying on applicant funding for some of SEC costs, was selected by one focus group as its first choice, but a majority in three focus groups found it acceptable (Transmission/Pipelines, Generation (non-wind), and Wind Developers). Those who supported this option were primarily from the developer-oriented focus groups, and these participants were willing to continue to pay some of the costs (which they argue can be extensive) but didn't necessarily support paying all of the SEC related expenses (including Agency Members and staff time).

2.5.2 Discussion of Alternatives

The most popular alternative -- to levy a standardized application fee (tailored to the type and size of a facility) to cover some or all SEC costs (Option 3) -- was supported by six of the seven focus groups (all but State Agencies) and 86% of all focus group participants based on acceptable choice polling. This was also the first choice option of the Environmental/Natural Resources, Business/Industry/Labor, and Citizen Groups/Local Government caucus. Points discussed under this option included:

- Lack of funding/resources seems to be significant problem
- A standardized fee is more predictable for developers
- But some were concerned that a standardized fee alone, could underfund the SEC process—so they wanted the ability to have a standardized fee plus some additional funds on a case by case basis to cover additional costs (e.g., studies)
- Others pointed out that standardized application fees wouldn't necessarily limit applicants' costs if additional funds could be required, so they advocated for some type of bounding on potential additional fees that could be levied on applicants

The other option that also received support from the same six of seven focus groups (all but State Agencies) and 70% of all focus group participants based on acceptable choice polling is to use a state appropriation to cover some or all SEC costs (Option 5). This was also the first choice option of the Transmission/Pipelines, Generation (non-wind), and Wind Developers. Their rationale for supporting this option:

- State should have “skin in the game” since siting is an issue of statewide concern—there should be at least some dedicated state appropriation for SEC
- Need some state funding to build a continuously operating SEC—the state can't just rely on applicant fees

- Some argued that at a minimum, agencies should track their annual participation for SEC Members and Staff, and include in line-item as part of their annual budget
- Others pointed out that while a State appropriation makes sense, it may be politically infeasible

Expanding current applicant invoicing to cover SEC Member agency staff and Counsel for the Public for time not currently reimbursed (Option 2) was supported by the Environmental/Natural Resources, Citizen Groups/Local Government, and State Agency focus groups based on acceptable choice polling and was the first choice of 100% of the State Agency focus group participants.

- Those supporting this felt that applicants should pay more of the total real cost of staffing the SEC, including costs of the Member agencies, than is currently collected.
- Others, particularly those in the focus groups including applicants, were worried that this could become a black hole for them if they were responsible for covering all staffing, expert, and study costs.

Charging operating energy facilities an assessment fee to cover some or all SEC costs (Option 4) was supported by a majority in only one focus group, State Agencies, and notably, was not selected as a first choice by a single participant of any of the 7 focus groups. The chief point made on this option was:

- Operating energy facilities assessment on existing facilities doesn't seem fair.

2.6 Topic: Covered Facilities & Opt In

Covered Facilities & Opt-In--Acceptable Choices

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	Generation >30 MW (Renewables between 5 and 30 MW SEC can review on own motion), >10 miles of pipeline, >100kV transmission lines; storage and loading facilities; SEC may grant exemptions if it finds that existing agency permits, state and federal policies adequately cover possible impacts. Non-Covered Facilities can opt in by petition of 1) applicant; 2) local gov't +/-or registered voter petition; or 3) SEC on its own motion; if SEC accepts the request, the final decision preempts the local jurisdiction.	73%	57%	100%	71%	86%	54%	0%	63%	64%
OPTION 2	Increase one or more of the thresholds to reduce number of cases requiring SEC review (e.g., 100 MW in MA)	18%	0%	67%	43%	29%	31%	80%	38%	34%
OPTION 3	Do not allow for opt-ins	0%	0%	0%	0%	14%	54%	80%	21%	21%
OPTION 4	Do not allow for opt-ins but reduce size thresholds for Covered Facilities (some states renewables reviewed for greater than 1 MW)	64%	29%	0%	0%	14%	8%	20%	19%	21%
OPTION 5	Develop clearer, consistent criteria for SEC to accept opt Ins	91%	86%	0%	100%	71%	69%	80%	71%	73%

Covered Facilities & Opt-In--First Choice

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Avg. of 7 Focus Grps (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	Generation >30 MW (Renewables between 5 and 30 MW SEC can review on own motion), >10 miles of pipeline, >100kV transmission lines; storage and loading facilities; SEC may grant exemptions if it finds that existing agency permits, state and federal policies adequately cover possible impacts. Non-Covered Facilities can opt in by petition of 1) applicant; 2) local gov't +/-or registered voter petition; or 3) SEC on its own motion; if SEC accepts the request, the final decision preempts the local jurisdiction.	36%	29%	67%	29%	29%	8%	0%	28%	27%
OPTION 2	Increase one or more of the thresholds to reduce number of cases requiring SEC review (e.g., 100 MW in MA)	0%	0%	33%	14%	14%	23%	20%	15%	14%
OPTION 3	Do not allow for opt-ins	0%	0%	0%	0%	0%	31%	40%	10%	11%
OPTION 4	Do not allow for opt-ins but reduce size thresholds for Covered Facilities (some states renewables reviewed for greater than 1 MW)	9%	14%	0%	0%	0%	0%	0%	3%	4%
OPTION 5	Develop clearer, consistent criteria for SEC to accept opt Ins	55%	57%	0%	57%	57%	38%	40%	43%	45%
Total		100%	100%	100%	100%	100%	100%	100%	100%	100%

2.6.1 Discussion of Status Quo

Currently, SEC approval is required for facilities over a certain size, and other projects can “opt-in” to the SEC process under certain circumstances. While one focus group supported the status quo (Option 1) as their first choice, a majority in six groups (all but State Agencies) support the status quo based on acceptable choice polling. The first choice of the other six focus groups is to develop clearer, consistent criteria for opt-ins (Option 5), while the State Agencies’ first choice was a tie between this option and the option to not allow opt-ins at all (Option 3).

The rationale for supporting the status quo by focus group participants included:

- Status quo balances things well, and opt-ins haven’t been that common so not sure there’s a real problem here
- It’s helpful to have an opt-in option for both local interests and the applicant
 - In some cases local governments ask for opt-in because don’t have legal structure and/or capability to adequately deal with an application
 - Opt-in can benefit developers, as it provides one stop forum and pre-empts local jurisdiction

2.6.2 Discussion of Alternatives

The most popular alternative, supported by six focus groups and 73% of all participants, is to develop clearer, consistent criteria for opt-ins (Option 5). Comments included:

- State permitting is necessary to meet state goals, but would be helpful if clearer standards were developed
- When and how opt-ins are allowed could benefit from much clearer standards, as can provide great uncertainty to applicants and towns alike and promote unproductive and inappropriate forum shopping
- Consider having different required analyses/timelines potentially for different size applications or applications with different potential impacts

A majority in two groups, Citizen Groups/Local Government and State Agencies, supported not allowing opt-ins (Option 3); notably, this option got 0% support in four groups (Environmental/Natural Resources, Business/Industry/Labor, Transmission/Pipelines, and Generation (non-wind)). However, a majority in only the Environmental/Natural Resources group could support not allowing opt-ins if the size threshold for Covered Facilities was lowered (Option 4). Comments related to these options included:

- Most of the other states in the multi-state study don’t allow opt-ins, and opt-ins create additional work for the SEC
- Eliminating this option altogether would disadvantage towns that need help or don’t have the local authority or institutional capacity to process

Increasing one or more of the thresholds to reduce the number of cases (Option 2) garnered majority support in only two focus groups (Transmission/Pipelines and State Agencies). Those who supported this option were looking to reduce the number and type of cases requiring SEC resources by limiting opt-ins, raising the covered facilities thresholds, or both.

2.7 Topic: Public Engagement

Public Engagement--Acceptable Choices

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Avg. of 7 Focus Grps. (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	Minimum of one informational session in county where proposed facility located; public input is through in-person and in-writing comment during meetings or adjudicatory hearings and can file as a formal intervenor	42%	86%	100%	71%	71%	22%	40%	62%	55%
OPTION 2	Adopt a "meaningful" pre-application process that engages the affected communities (e.g., New York)	100%	43%	0%	100%	43%	43%	40%	53%	57%
OPTION 3	Require at least two community meetings, one with the developer during the pre-filing phase and another with SEC representatives post-filing (e.g., Maine)	58%	43%	0%	43%	57%	36%	60%	42%	43%
OPTION 4	Applicants provide intervenor funding for participating in adjudicatory proceedings (e.g., New York)	75%	14%	0%	0%	14%	94%	40%	34%	45%
OPTION 5	Add statutory requirement that applicant has duly considered local, regional, and public comment	42%	29%	0%	43%	29%	86%	40%	38%	45%
OPTION 6	Create an SEC position for public engagement coordination (e.g., New York)	42%	14%	0%	43%	71%	36%	80%	41%	40%

Public Engagement--First Choice

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Avg of 7 Focus Grps (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	Minimum of one informational session in county where proposed facility located; public input is through in-person and in-writing comment during meetings or adjudicatory hearings and can file as a formal intervenor	17%	57%	100%	43%	14%	0%	20%	36%	29%
OPTION 2	Adopt a "meaningful" pre-application process that engages the affected communities (e.g., New York)	67%	14%	0%	29%	29%	6%	40%	26%	27%
OPTION 3	Require at least two community meetings, one with the developer during the pre-filing phase and another with SEC representatives post-filing (e.g., Maine)	8%	29%	0%	29%	0%	0%	0%	9%	9%
OPTION 4	Applicants provide intervenor funding for participating in adjudicatory proceedings (e.g., New York)	0%	0%	0%	0%	0%	56%	0%	8%	13%
OPTION 5	Add statutory requirement that applicant has duly considered local, regional, and public comment	0%	0%	0%	0%	14%	36%	0%	7%	10%
OPTION 6	Create an SEC position for public engagement coordination (e.g., New York)	8%	0%	0%	0%	43%	2%	40%	13%	11%
Total		100%	100%	100%	100%	100%	100%	100%	100%	100%

2.7.1 Discussion of Status Quo

Public engagement on SEC matters currently includes a minimum of one informational session in the county where an energy facility is proposed to be located, written or oral comments during local meetings or adjudicatory hearings, and the ability to formally intervene before the SEC. A majority in three of the seven focus groups selected this status quo (Option 1) as their first choice, and this also had the highest level of first choice support across all the focus group participants (29%). However, 4 focus groups and over 70% of the focus group participants had first choices other than the status quo. These other first choices included 1) adopting a “meaningful” pre-application process that engages the affected communities (Option 2); 2) creating an SEC position for public engagement coordination (Option 6); and 3) providing intervenor funding for participating in adjudicatory proceedings (Option 4).

For those who consider the status quo (Option 1) “acceptable,” including a majority of four focus groups (Business/Industry/Labor, Transmission/Pipelines, Generation, and Wind Developers) as well as 55% of all the focus group participants, the reasons include:

- Extensive public engagement is required already, and SEC already shows how public engagement is incorporated in decisions
- Somewhat self-policed, because if applicants don’t intensely engage public, they do so at their own peril (“permitting suicide”) so don’t need more requirements

For the 45% of focus group participants who felt that the status quo was not “acceptable” as is, some of the reasons included:

- Public input has to have value placed on it in the decision-making process
- It’s not at all clear how the SEC takes into account public comments and incorporates them in their decision making process
- “Public outcry has been ignored in recent years and has not been taken seriously”

2.7.2 Discussion of Alternatives

Of all the other options, which can largely be viewed as supplements to the status quo as opposed to wholesale replacements, the option that had the broadest support, with 57% of the focus group participants, was to adopt a “meaningful” pre-application process that engages the affected communities (Option 2). Notably, this option also had 100% support based on acceptable choice polling in both the Environmental/Natural Resources and Generation (non-wind) focus groups. Some of the clarifying comments related to this option included:

- A pre-application process early on would be valuable (before a lot of time and money is spent in litigation) to help sort thru issues and give applicants a window to address community concerns through siting modifications, mitigation, etc.
- Need to better define what a “meaningful” pre-application process should look like

Although none of the other options received support from more than 50% of the focus group participants, several others received over 40% support overall as well as majority support in two or more focus groups. Requiring at least two community meetings—one with developer during pre-filing phase and another with SEC representatives post filing (Option 3)—had majority “acceptable” support in the Environmental/Natural Resources, Wind Developers, and State Agency focus groups. Providing intervenor funding for participating in adjudicatory proceedings had majority “acceptable” support in the Environmental/Natural Resources and Citizen Groups/Local Government focus groups but 0% support in the Transmission/Pipelines and Generation (non-wind) focus groups. Creating a new SEC position for public engagement coordination (Option 6) received majority support in the Wind Developers and State Agencies focus groups. Comments on these options included:

- Community Meetings:
 - Multiple meetings are important, especially if project evolves
 - SEC needs to get out to the community more times, even if the SEC needs to be smaller or different to accommodate that
- Intervenor Funding
 - Many felt that intervenor funding would let towns and the public more fully and effectively participate in the SEC process
 - Some wondered how intervenor funding would work where the public in a community was divided about the project
 - Others argued that there’s already sufficient public participation, and that developer funds would be better targeted to other things like mitigation
 - Some asked if the Counsel for Public is the entrusted public official in every case before the SEC, whether you would also need intervenor funding?
- New SEC Position for Public Engagement
 - Some thought that this could be very helpful as a liaison between the developer, community, and SEC on “meaningful” public engagement
 - Others thought that it was unnecessary

2.8 Topic: Role of the Counsel for the Public

Role of the Counsel for the Public--Acceptable Choices

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Avg. of 7 Focus Grps (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	The Counsel represents the public to ensure a balance between protecting the quality of the environment and maintaining an adequate supply of energy. The Counsel has full intervenor status. The Counsel is housed in the Attorney General's office.	33%	57%	50%	57%	14%	20%	20%	36%	34%
OPTION 2	Develop clear principles or criteria to clarify the role	67%	100%	100%	100%	57%	80%	80%	83%	81%
OPTION 3	Broaden the role to allow consideration of more than need and environmental impact	67%	43%	17%	29%	0%	53%	20%	33%	39%
OPTION 4	Provide additional resources for adequate participation	92%	57%	17%	43%	0%	73%	20%	43%	53%
OPTION 5	Create a separate, and independent office for the Public Counsel	33%	0%	0%	0%	71%	27%	40%	24%	25%
OPTION 6	Eliminate the Public Counsel and establish a public engagement coordinator	33%	NR	67%	100%	57%	0%	80%	56%	35%

Role of the Counsel for the Public--First Choice

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Avg. of 7 Focus Grps (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	The Counsel represents the public to ensure a balance between protecting the quality of the environment and maintaining an adequate supply of energy. The Counsel has full intervenor status. The Counsel is housed in the Attorney General's office.	17%	0%	17%	29%	0%	13%	0%	11%	12%
OPTION 2	Develop clear principles or criteria to clarify the role	42%	86%	83%	71%	0%	43%	60%	55%	52%
OPTION 3	Broaden the role to allow consideration of more than need and environmental impact	17%	0%	0%	0%	0%	17%	0%	5%	8%
OPTION 4	Provide additional resources for adequate participation	25%	14%	0%	0%	0%	20%	0%	8%	12%
OPTION 5	Create a separate, and independent office for the Public Counsel	0%	0%	0%	0%	71%	7%	0%	11%	10%
OPTION 6	Eliminate the Public Counsel and establish a public engagement coordinator	NP	NP	NP	NP	29%	0%	40%	NC	NC
Total		100%	100%	100%	100%	100%	100%	100%		

2.8.1 Discussion of the Status Quo

The Counsel for the Public represents the public at all SEC proceedings to ensure a balance between protecting the quality of the environment and maintaining an adequate supply of energy. The Counsel has full party status, and is an attorney appointed by the Attorney General. For a variety of reasons, none of the seven focus groups and only 12% of all focus group participants support the status quo (Option 1) as their first choice. Instead, six of the seven focus groups and 52% of all focus group participants' first choice was to develop clear principles or criteria to clarify the role (Option 2). Option 2 was also supported by 81% of all the focus group participants.

The comments and questions about the areas where the Counsel role needs clarification included:

- Public Counsel necessary, but role not that clear
- Should the Counsel be representing the state as a whole, or local communities at proposed sites? If the latter and the communities are split, who should Counsel represent?
- If this is also the SEC role, what role should the Counsel play? In a related matter, what should be the Counsel vs. SEC role in balancing energy needs and environment? (*See Energy Policy Criteria for more on this issue*)
- Should the Counsel continue to have to intervene in every case, or should it be discretionary?
- If standards are clear and application is deemed complete by SEC, then why should Counsel still be able to ask for additional studies?
- Counsel has acted as facilitator to help work things out
- Public Counsel has become the anti-wind representative and no longer representing the broader public interest

2.8.2 Discussion of Alternatives

Of the remaining options, two other options garnered substantial support, albeit from different constellations of focus groups. The first, to provide additional resources to the Counsel for the Public for adequate participation was supported (through acceptable choice polling) by over half of the Environmental/Natural Resources, Business/Industry/Labor, and Citizen Groups/Local Government focus groups, and 53% of all the focus group participants. Those who supported this maintained that if the Counsel has to intervene in every SEC case and represent the public interest, the Counsel needs more resources.

The other option, to eliminate the Public Counsel and establish a public engagement coordinator, was supported by over half the Transmission/Pipelines, Generation (non-wind), Wind Developers, and State Agency focus groups. Those who supported this generally felt that the role is somewhat or largely redundant with the SEC. Some argued that if there were one or

more public seats in the SEC Membership, and/or a public engagement coordinator this role may not be needed. Others felt strongly that the Counsel plays an important role holding the applicant's feet to the fire in terms of satisfying the terms of the statute, and should be retained and strengthened.

The two other options received less support. A majority in only the Environmental/Natural Resources and Citizen Groups/Local Government supported broadening the role of the Counsel to allow consideration of more than need and environmental impact; and a majority in only the Wind Developers group supported creating a separate, independent office for the Public Counsel. Others advocated for moving the Counsel to the Office of the Consumer Advocate, although they acknowledged that the State may need to broaden the Consumer Advocate's authority beyond representing residential ratepayers in order to do so.

2.9 Topic: Required Findings

Required Findings--Acceptable Choices

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Avg. of 7 Focus Grps. (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	Three findings outlined in legislation guide decision-making (see current findings above); No specific detailed criteria.	0%	57%	83%	100%	57%	7%	20%	46%	38%
OPTION 2	Define and detail existing 3 findings more clearly	42%	86%	33%	71%	100%	86%	100%	74%	72%
OPTION 3	Create more specific criteria that applies to all energy facilities	92%	43%	17%	0%	29%	71%	40%	42%	50%
OPTION 4	Create more specific criteria for each type of facility	75%	29%	17%	0%	14%	64%	40%	34%	41%
OPTION 5	Create additional and more specific criteria for all facilities and additional and more specific criteria for certain types of Facilities	100%	57%	17%	29%	14%	93%	60%	53%	62%

Required Findings--First Choice

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Avg. of 7 Focus Grps. (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	Three findings outlined in legislation guide decision-making (see current findings above); No specific detailed criteria.	0%	29%	83%	86%	29%	0%	0%	32%	26%
OPTION 2	Define and detail existing 3 findings more clearly	0%	29%	0%	14%	57%	18%	80%	28%	23%
OPTION 3	Create more specific criteria that applies to all energy facilities	0%	14%	0%	0%	0%	14%	0%	4%	5%
OPTION 4	Create more specific criteria for each type of facility	0%	0%	17%	0%	14%	14%	0%	6%	7%
OPTION 5	Create additional and more specific criteria for all facilities and additional and more specific criteria for certain types of Facilities	100%	29%	0%	0%	0%	54%	20%	29%	39%
Total		100%	100%	100%	100%	100%	100%	100%	100%	100%

2.9.1 Discussion of the Status Quo

Three of the seven focus groups felt that the current required Findings as outlined in the statute are adequate guidance for the SEC in making its decisions. On average, over two-thirds of the focus groups and individual participants indicated that some further definition to the current Findings or more specific criteria were needed and would be preferable to the status quo.

Thirty-eight percent of the individual participants placed the status quo among their acceptable choices. These individuals were predominantly among the project developers (Transmission/Pipelines, Generation (non-wind), and Wind Developers) and Business/Industry/Labor participants. The comments supporting this point of view included:

- The current Findings have been adequate and have led to consistent and well-supported decisions.
- Each project is unique; therefore there are no criteria that could apply to all types of projects or to both urban and rural settings.
- Any more definition to the criteria may unnecessarily constrain the developer and the SEC.
- The comprehensive nature of the permitting process makes additional criteria unnecessary.
- Past SEC decisions create precedent on how the Findings are supported and applied and help ensure consistency in decision making.

2.9.2 Discussion of Alternatives

Those who wanted change were concerned that the lack of definition could lead to inconsistent application of the Findings. For instance, some suggested that there is not a clear understanding whether the financial ability to complete decommissioning is considered part of the overall financial viability of the developer. Some also noted that a clearer understanding of the Finding would provide developers more certainty about what to expect and what information to provide.

A majority in five of the focus groups (Business/Industry/Labor; Generation (non-wind); Wind Developers; Citizen Groups/Local Government; and State Agencies) and nearly three quarters of all the focus group participants (based on acceptable choice polling) support adding more definition to the existing three Findings (Option 2). Observations on this option included:

- Without more definition to the Findings, there is increased likelihood of inconsistent application by the SEC.
- Strengthening the definition of the Findings should be the first step. If that proves inadequate, the state should consider adopting more specific criteria.

- While some felt that the financial viability Finding needed strengthening, others thought the Finding was not appropriate at all and noted that it is not applied in any other type of development project.

A majority in four of the focus groups (Business/Industry/Labor; Citizen Groups/Local Government; and State Agencies) and 60% of the individual participants (based on acceptable choice polling) support the state adopting more specific criteria that applies to all facilities and additional criteria that applies to only some types of facilities (Option 5). The Environmental/Natural Resource participants were unanimous in their support of this option, and the Citizen Groups/Local Government focus group nearly so. This was the least favorable choice for the project developers based on first choice polling.

It was clear from the discussion that there was not a common understanding of the terms “Findings” and “criteria.” As it is applied in the options, findings referred to higher-level principles that could be applied to all facilities (e.g. financial viability, lack of adverse impact, etc.) while criteria are more specific standards or benchmarks and are designed to address particular types of impacts or projects.

2.10 Topic: State Energy Policy

State Energy Policy--Acceptable Choices

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	In practice, the SEC has referred to state policies such as the RPS and 25x25 goals to support a finding of need, but not instructed to tie to state energy policy.	8%	57%	83%	100%	71%	0%	80%	57%	46%
OPTION 2	Require finding that the project is aligned with state energy policy	83%	29%	17%	29%	0%	92%	40%	41%	51%
OPTION 3	Specify in findings and purposes what need means.	83%	43%	33%	14%	14%	92%	0%	40%	51%
OPTION 4	Require finding that the project is aligned with both state energy and natural resource protection policies.	75%	14%	17%	0%	43%	77%	0%	32%	42%
OPTION 5	Add filing requirement on relationship between project and state energy policy; No consistency with energy policy finding by SEC required	NP	86%	67%	100%	0%	8%	20%	47%	42%
OPTION 6	SEC should not be required to make a need finding	50%	NR	100%	100%	100%	50%	60%	77%	63%

State Energy Policy – First Choice

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	In practice, the SEC has referred to state policies such as the RPS and 25x25 goals to support a finding of need, but not instructed to tie to state energy policy.	0%	14%	67%	43%	43%	0%	60%	32%	25%
OPTION 2	Require finding that the project is aligned with state energy policy	8%	0%	0%	0%	0%	38%	0%	7%	11%
OPTION 3	Specify in findings and purposes what need means.	58%	14%	17%	14%	14%	19%	0%	20%	24%
OPTION 4	Require finding that the project is aligned with both state energy and natural resource protection policies.	33%	0%	17%	0%	43%	35%	0%	18%	22%
OPTION 5	Add filing requirement on relationship between project and state energy policy; No consistency with energy policy finding by SEC required	NP	71%	0%	43%	0%	8%	0%	17%	16%
OPTION 6	SEC should not be required to make a need finding	NP	NP	NP	NP	NP	NP	40%	NC	NC
Total		100%	100%	100%	100%	100%	100%	100%		

2.10.1 Discussion of the Status Quo

Currently, the SEC may refer to state policies such as the Renewable Portfolio Standard to support its decision, but is not required to do so and no formal need finding is required. The status quo of acknowledging if and how state energy policy have been considered in the decision had the most overall support, with four of the focus groups (Transmission/ Pipelines; Generation (non-wind); Wind Developers; and State Agencies) and one-quarter of the participating individuals selecting it as their first choice (Option 1). A majority in those four focus groups, plus a majority in the Business/Industry/Labor focus group all found the status quo acceptable. Some of those who supported the status quo as their first choice or found it acceptable stated:

- Because there is not a comprehensive state energy policy, we are uncomfortable with the idea of requiring project developers or the SEC to demonstrate that a particular project aligns with state policy.
- The state's energy policy is a collection of executive orders, laws, regulations and policies that are frequently changing.
- Restructured electricity markets make it impossible to use state policy or utility plans to define need for new generation or transmission.
- Need is now being defined by market demand or regional considerations such as the need for transmission to deliver site-constrained power to load centers outside the state. Therefore, it isn't appropriate to require a finding of need.

2.10.2 Discussion of Alternatives

None of the Citizen Groups/Local Government focus group participants and only 8% of the Environmental/Natural Resource focus group participants found the status quo acceptable. The Citizen Groups/Local Government focus group participants' preferred option was that the SEC should be *required* to make a formal finding that the energy facility "is aligned with state energy policy" (Option 2). The Environmental/Natural Resources focus group participants preferred option was that need *should* be better defined (Option 3). Both of these focus groups also strongly supported a finding that an application is aligned with both energy and natural resource policy (Option 4).

The Business/Industry/Labor focus group suggested adding the fifth option and supported it strongly, with 71% selecting it as their first choice. This option suggests that the SEC create filing requirements for the energy facility applicants to show how the project relates to state policy, but would not require the SEC to make a finding that it is consistent with state policy. The majority of Transmission/Pipelines and Generation (non-wind) focus group participants also thought this option was acceptable (67% and 100%, respectively).

The lack of a comprehensive state energy policy seemed to be a factor in many people's choices on this topic. Some did not want to make a closer tie between the siting process and the current mix of policies that change often and might even be in conflict. Many saw the possible adoption of a more comprehensive state energy strategy as an opportunity to clarify the linkage with energy policy and siting. The connection between state energy policy and a finding of need was confusing for a number of focus group participants, who see them as unrelated or only partially connected at best. However, a majority of participants in all six of the focus groups that polled on added Option 6 agreed that the SEC should not be required to make a need related finding.

We note that a few states reviewed in the Multi-State Report in Appendix A do include a finding of need as part of their general required findings (see pgs. 35- 39). For instance, Connecticut requires that the Siting Council balance the public need or public benefit for a facility with the need to protect the environment. Other states, like Rhode Island, New York and Massachusetts, do not refer to a finding of need as necessary for siting approval.

2.11 Topic: Environment and Natural Resource Impacts

Environmental and Natural Resource--Acceptable Choices

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	Individual agencies exercise their permitting authority for such media as wetlands, water, and air. Wildlife must be taken under consideration in the SEC review though there is very limited permitting authority by wildlife agencies.	17%	86%	100%	100%	71%	27%	80%	69%	58%
OPTION 2	By reference, incorporate USFWS Wind and Wildlife guidelines and other appropriate guidelines for other facility types	50%	43%	33%	0%	29%	54%	0%	30%	36%
OPTION 3	Require a full environmental impact assessment for facilities over a certain size	58%	14%	17%	14%	0%	87%	60%	36%	44%
OPTION 4	Develop more specific criteria for the finding that a project should have no unreasonable adverse effect on environment or natural resources.	92%	29%	17%	29%	14%	74%	80%	48%	54%
OPTION 5	Where permitting exists or is granted by another Agency, the SEC should honor the permit conditions (and not amend).	63%	NR	100%	100%	86%	13%	0%	60%	44%

Environmental and Natural Resource--First Choice

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Avg. of 7 Focus Grps. (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	Individual agencies exercise their permitting authority for such media as wetlands, water, and air. Wildlife must be taken under consideration in the SEC review though there is very limited permitting authority by wildlife agencies.	0%	86%	83%	100%	0%	0%	60%	47%	36%
OPTION 2	By reference, incorporate USFWS Wind and Wildlife guidelines and other appropriate guidelines for other facility types	8%	0%	0%	0%	0%	9%	0%	2%	4%
OPTION 3	Require a full environmental impact assessment for facilities over a certain size	17%	0%	0%	0%	0%	36%	0%	7%	12%
OPTION 4	Develop more specific criteria for the finding that a project should have no unreasonable adverse effect on environment or natural resources.	75%	14%	17%	0%	14%	56%	40%	31%	38%
OPTION 5	Where permitting exists or is granted by another Agency, the SEC should honor the permit conditions (and not amend).	NP	NP	NP	NP	86%	0%	0%	NC	NC
Total		100%	100%	100%	100%	100%	100%	100%		

2.11.1 Discussion of the Status Quo

The current practice of relying on the permitting process to evaluate environmental and natural resource impacts was the first choice of four focus groups – Business/Industry/Labor; Generation (non-wind); Transmission/Pipelines; and the State Agencies. Some of the reasons for this support of the status quo included:

- The current process is thorough and already requires substantial analysis from the applicant on impacts on the environment and natural resources.
- There is a state Wildlife Action Plan that could be brought into the SEC evaluation process to address wildlife issues not currently captured in the permitting process.
- The term “unreasonable” implied that a balance had to be met and there is not a “bright line” that can be established with criteria.

2.11.2 Discussion of Alternatives

Although the status quo was acceptable to most of the participants, only 17% and 27%, respectively, of the Environmental/Natural Resources and Citizen Groups/Local Government focus group participants included the status quo among their acceptable choices. The first choice for these groups was the development of more specific criteria for the finding that a project should have no unreasonable adverse effect on the environment or natural resources.

- The current finding that a project should have no unreasonable adverse impact needed more definition and criteria.
- The criteria should take into account the unique characteristics of the environmental setting of a project, such as a ridgeline or forest.
- Criteria for unreasonable adverse impact should not be based on the size of the project, noting that small projects can have a significant impact depending on the location and surrounding habitat.

Wind Developers felt strongly that the permitting processes of agencies with jurisdiction should carry significant weight, and the SEC should not have the ability to amend the permits or place conditions on the certificate that were in conflict with the permits. They added Option 5 to address this concern, and a majority of participants in 4 focus groups (Environmental/Natural Resources; Generation (non-wind); Transmission/Pipelines; and the State Agencies) found this to be an acceptable option.

Option 3, which would require a full Environmental Impact Assessment, was acceptable to the majority of Citizens Groups/Local Government and the State agency participants. But in discussion of this option, a number of the other focus group members thought this was unnecessary or unworkable. They argued that:

- The current permitting process is very thorough and is almost equivalent to a federal Environmental Impact Assessment process in terms of the information that must be provided by the applicant.
- An EIA or EIS requirement on top of the current process would be burdensome to the applicants.
- Because the State does not currently have a state EIS requirement, implementing this option would require legislation and regulations defining the process.

2.12 Topic: Visual Impacts

Visual Impacts--Acceptable Choices

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	SEC addresses visual impacts on case by case basis. However, no consistent, formalized visual impacts standards for energy facilities exist.	8%	57%	83%	43%	57%	20%	60%	47%	39%
OPTION 2	Adopt visual impacts-specific filings requirements such as visualization studies, viewshed studies, etc.	92%	43%	50%	86%	86%	73%	80%	73%	75%
OPTION 3	Adopt guidelines to mitigate adverse visual disruption (color, signage, screening, ridgelines/elevation, set backs, etc.)	67%	71%	17%	0%	57%	53%	40%	44%	47%
OPTION 4	Adopt standards to prohibit adverse visual disruption (set backs, heights restrictions, catalog of protected resources/sites.)	50%	0%	0%	0%	0%	53%	20%	18%	25%
OPTION 5	Develop criteria on how visual impacts should be evaluated by SEC	86%	NR	83%	71%	29%	93%	60%	70%	74%

Visual Impacts—First Choice

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	SEC addresses visual impacts on case by case basis. However, no consistent, formalized visual impacts standards for energy facilities exist.	8%	43%	33%	29%	29%	0%	20%	23%	19%
OPTION 2	Adopt visual impacts-specific filings requirements such as visualization studies, viewshed studies, etc.	75%	14%	17%	21%	57%	10%	60%	36%	36%
OPTION 3	Adopt guidelines to mitigate adverse visual disruption (color, signage, screening, ridgelines/elevation, set backs, etc.)	8%	43%	0%	0%	0%	20%	0%	10%	12%
OPTION 4	Adopt standards to prohibit adverse visual disruption (set backs, heights restrictions, catalog of protected resources/sites.)	8%	0%	0%	0%	0%	40%	20%	10%	14%
OPTION 5	Develop criteria on how visual impacts should be evaluated by SEC	NP	NP	50%	50%	14%	30%	0%	NC	NC
Total		100%	100%	100%	100%	100%	100%	100%		

2.12.1 Discussion of the Status Quo

The status quo, case-by-case analysis of visual impacts and no specific filing requirements or standards for visual impacts, was considered an acceptable choice by about 40% of all focus group participants. Only one focus group (Business/Industry/Labor) and less than one-fifth of all focus group participants selected it as their first choice. Comments supporting the status quo included:

- The subjective nature of visual impacts makes it difficult to capture in criteria or standards.
- The surroundings of the site are very important considerations in the visual impacts and would vary with each project. A project in a rural area should not be evaluated with the same criteria as a project in a very developed area.
- Visual impacts should not be considered in isolation, but rather the full range of impacts must be taken together and the SEC should seek to balance overall adverse impacts against the benefits of a project.

2.12.2 Discussion of Alternatives

The most widely-supported option was the idea of adopting filing requirements for measuring visual impacts (Option 2). This option was found acceptable by a majority of participants in all the focus groups except one, 75% of all participants, and the first choice in three of the focus groups (Environmental/Natural Resources; Wind Developers; & State Agencies). Supporters of this option thought that having consistent information for the SEC to consider in each case was very important.

Another popular option found acceptable by a majority of participants in five of the focus groups and 74% of all participants polled, and the first choice in two of the focus groups (Transmission/Pipelines; and Generation (non-wind)) is for the state to adopt actual criteria on how visual impacts should be evaluated by the SEC (Option 5). The rationale for this option added by one of the focus groups included:

- It is important that applicants know both what information was needed on visual impacts and how that information would be used by the SEC to come to a decision.
- In setting either criteria or guidelines, SEC should take into account the “ambient conditions” of the site, that is, the character of the existing environment and development and who would be impacted.

Adopting guidelines to mitigate visual impacts (Option 3) was the first choice of the Business, Industry and Labor focus group, and was found acceptable by a majority of the participants in two additional focus groups (Environmental/Natural Resources; Citizen Groups/Local Government). The first choice of the Citizen Groups/Local Government focus group members was Option 4, setting standards to prohibit adverse visual disruption, but this was the least favorable option among the polling for acceptable choices, with only 25% of all the focus group participants selecting it.

2.13 Topic: Noise

Noise--Acceptable Choices

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	SEC addresses noise on case by case basis. SEC does not have a formalized and consistent noise standard. Some municipalities are developing them.	18%	71%	83%	100%	29%	50%	20%	53%	50%
OPTION 2	Adopt a statewide absolute standard (e.g. 55 dB as model ordinance in NY)	82%	0%	17%	17%	86%	50%	40%	42%	46%
OPTION 3	Adopt a statewide relative standard (e.g., no more than 10 dB above local background noise as in MA)	82%	57%	33%	100%	43%	83%	100%	71%	72%
OPTION 4	No statewide standard, but SEC incorporates local government set noise standard if exists	18%	57%	17%	0%	0%	75%	0%	24%	30%

Noise--First Choice

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	SEC addresses noise on case by case basis. SEC does not have a formalized and consistent noise standard. Some municipalities are developing them.	18%	43%	67%	50%	0%	17%	0%	28%	26%
OPTION 2	Adopt a statewide absolute standard (e.g. 55 dB as model ordinance in NY)	9%	0%	17%	0%	86%	17%	0%	18%	19%
OPTION 3	Adopt a statewide relative standard (e.g., no more than 10 dB above local background noise as in MA)	73%	43%	8%	50%	14%	42%	100%	47%	47%
OPTION 4	No statewide standard, but SEC incorporates local government set noise standard if exists	0%	14%	8%	0%	0%	25%	0%	7%	8%
Total		100%	100%	100%	100%	100%	100%	100%	100%	100%

2.13.1 Discussion of the Status Quo

The status quo, whereby there is no statewide standard and the SEC can override local noise standards, received first choice support from the Generation (non-wind), Transmission/Pipelines and Business/Industry/Labor focus groups. Some of the reasons in support of the status quo included:

- A case-by-case analysis approach is working well because the developers work closely with the municipalities on issues like noise and address it early in the process.
- Case by case approaches allow the SEC to take into account background ambient conditions

2.13.2 Discussion of Alternatives

The adoption of a state-wide relative noise standard (Option 3) gained the strongest support among the options, with five focus groups selecting it as their first choice (Environmental/Natural Resource, Generation (non-wind), Business/Industry/Labor, Citizen Groups/Local Government, and State Agencies) and over 70% of all focus group participants finding it acceptable. Arguments for this option included:

- The noise of a new development relative to the pre-existing noise levels is more likely to capture the perceived impact on those nearby.
- If a relative noise standard were to be adopted, it would be important that the level of background noise at the time of the application be the baseline for the decision, and the decision should not be revisited in the future, even if ambient noise levels changed.

Wind Developers preferred Option 3, an absolute state-wide noise standard, as indicated by the fact that it received 86% as both the first choice and an acceptable choice from this focus group. Their rationale included

- While it is important to document the background noise level, setting an absolute standard was likely to result in less controversy.
- It is important to be clear about the receptor point for measuring the noise impact and setting a standard.
- Not every siting case necessarily needs a noise study; therefore, the requirement for such a study should be limited.

Deferring to local government noise standards where they exist (Option 4) did not have strong support from any of the focus group participants, with only 7% of individuals on average selecting it as their first choice, and only 30% of all participants finding it acceptable, although a majority of both the Citizen/Local Government and Business/Industry/Labor groups found it acceptable. Such a change would require an amendment to the current statute, which gives the SEC the authority to preempt local regulations if deemed necessary to preserve state interests. In discussing this option, the Citizen Groups/Local Government participants noted that most towns do not currently have noise regulations but some are developing them.

2.14 Topic: Orderly Development

Orderly Development--Acceptable Choices

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	The SEC must consider undue interference with orderly development of the region. Applicants submit and the SEC reviews economic impacts predictions.	17%	63%	100%	57%	86%	29%	60%	59%	51%
OPTION 2	Provide resources for RPCs to conduct impact studies to ensure consistency with regional land use and economic development plans (RSA 36)	58%	38%	0%	71%	0%	86%	40%	42%	49%
OPTION 3	Adopt more specific criteria for evaluating undue interference with orderly development	83%	38%	50%	86%	29%	100%	80%	66%	71%
OPTION 4	Adopt criteria for evaluating regional cumulative impacts within or across regions	75%	50%	33%	43%	0%	86%	60%	50%	56%

Orderly Development--First Choice

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Avg. of 7 Focus Grps (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	The SEC must consider undue interference with orderly development of the region. Applicants submit and the SEC reviews economic impacts predictions.	0%	63%	83%	43%	71%	0%	20%	40%	32%
OPTION 2	Provide resources for RPCs to conduct impact studies to ensure consistency with regional land use and economic development plans (RSA 36)	17%	0%	0%	43%	0%	14%	0%	11%	12%
OPTION 3	Adopt more specific criteria for evaluating undue interference with orderly development	33%	13%	17%	14%	29%	68%	80%	36%	38%
OPTION 4	Adopt criteria for evaluating regional cumulative impacts within or across regions	50%	25%	0%	0%	0%	18%	0%	13%	18%
Total		100%	100%	100%	100%	100%	100%	100%	100%	100%

2.14.1 Discussion of the Status Quo

The status quo was the first choice of about one-third of the individuals attending the focus groups and four of the focus groups (Generation (non-wind), Transmission/Pipelines, Wind Developers, and Business/Industry/Labor focus), and was found acceptable by a majority in five focus groups including State Agencies. It was also an acceptable choice to over half all the focus group participants.

2.14.2 Discussion of Alternatives

The most acceptable option, however, was Option 3 that the finding regarding whether the project “unduly interferes with orderly development” needs specific criteria. Seventy-one percent of all focus group participants and a majority in five focus groups (Environmental/Natural Resources, Generation (non-wind), Transmission/Pipelines, Citizen Groups/Local Government, and State Agencies) found this option “acceptable.” Many thought that both the terms “undue” and “orderly development” were too vague and needed further definition. Comments included:

- Orderly development is typically benchmarked against some type of plan; therefore, need to determine if the benchmark will be state, regional, or individual town plans.
- Regional Planning Commissions develop regional plans that look at important factors in regional growth and development that could serve as guide to orderly development, along with local master plans.

56% of the focus group participants and a majority in four focus groups (Environmental/Natural Resources, Business/Industry/Labor, Citizen Groups/Local Government, and State Agencies) thought that adopting criteria to evaluate cumulative impacts within and across regions was an acceptable choice. While some felt that considering the cumulative impacts of energy facilities was important, others noted that the statute currently does not envision this level of evaluation, so it would require legislative changes to incorporate it into the SEC findings.

Shifting the responsibility to the Regional Planning Commissions to evaluate the economic development impacts also received about half of the participants’ support as an acceptable choice.

All of the options presented, including the status quo, received significant support from some focus groups, which indicates that there is not strong agreement about whether the current approach to considering a project’s impact on orderly development is adequate, or if not, how best to improve it.

2.15 Topic: Alternative Routes

Alternative Routes (Transmission/Pipelines)--Acceptable Choices

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1 / Status Quo	SEC considers "available alternative," however, no comprehensive analyses of alternative routes or use of existing right-of-way are required; applicant may include alternatives it considered in its application.	0%	57%	67%	71%	86%	21%	60%	52%	44%
OPTION 2	Require analysis of alternative routes and undergrounding as part of filing	100%	14%	33%	71%	14%	100%	60%	56%	65%
OPTION 3	Require state to designate acceptable transmission/pipelines corridors and then give preference for location in those corridors	45%	14%	33%	29%	0%	64%	40%	32%	37%
OPTION 4	Require use of existing transmission/pipelines corridors /developed rights-of-way as first option	45%	14%	17%	57%	0%	57%	20%	30%	35%
OPTION 5	Require analysis of alternative routes as part of filing (may include undergrounding at applicant's discretion)	83%	100%	50%	43%	29%	36%	40%	54%	52%

Alternative Routes (Transmission/Pipelines)--First Choice

		Enviro/ NR	Biz/ Labor	Trans /Pipe	Gen	Wind	Local	State	Average of 7 Focus Grps. (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	SEC considers "available alternatives;" however, no comprehensive analyses of alternative routes or use of existing right-of-way are required; applicant may include alternatives it considered in its application.	0%	29%	50%	43%	86%	4%	40%	36%	29%
OPTION 2	Require analysis of alternative routes and undergrounding as part of filing	100%	14%	0%	43%	14%	43%	20%	33%	40%
OPTION 3	Require state to designate acceptable transmission/pipelines corridors and then give preference for location in those corridors	0%	0%	17%	14%	0%	11%	20%	9%	8%
OPTION 4	Require use of existing transmission/pipelines corridors /developed rights-of-way as first option	0%	0%	0%	0%	0%	14%	0%	2%	4%
OPTION 5	Require analysis of alternative routes as part of filing (may include undergrounding at applicant's discretion)	NP	57%	33%	0%	0%	29%	20%	NC	NC
Total		100%	100%	100%	100%	100%	100%	100%		

2.15.1 Discussion of the Status Quo

The project developer focus groups (Generation (non-wind), Transmission/Pipelines, and Wind Developers) and the State Agencies focus preferred the status quo as indicated by their first choice. They noted that:

- Applicants routinely provide information about the alternative routes they considered and the SEC has the authority to evaluate the information as part of its decision.
- It doesn't always make sense to require detailed evaluation of alternatives if the route selected has minimal impacts or is clearly superior.
- Some transmission projects will have undergone a robust federal EIS process and alternatives analysis already.

2.15.2 Discussion of Alternatives

The most popular choice based on acceptable choice polling was Option 2, requiring the applicant to provide an analysis of alternative routes and undergrounding of transmission as part of their filing, with support from 65% of all focus group participants as well as the first choice for 3 focus groups (Environmental/Natural Resources, Generation¹¹, and Citizen Groups/Local Government). This would strengthen the current language in the statute that requires the applicant to "identify the preferred choice and any other choices" but currently does not require an analysis of their relative merits.

More than half of all focus group participants and a majority in three focus groups (Environmental/Natural Resources, Business/Industry/Labor, and Transmission/Pipelines, Generation) supported Option 5--requiring the applicant to file an analysis of the alternative routes considered, but that undergrounding should be included only at the applicant's discretion. They noted that undergrounding is more about mitigating a visual impact than creating an alternative route.

There was little first choice support for the idea of creating preferences for projects that were sited within new state-designated corridors or existing corridors and rights of ways (Option 4), although a majority of focus group participants in Citizen Groups/Local Government and Generation (non-wind) find it acceptable. A number of focus group members had experience with the process of state-designated energy corridors in other states. They noted:

- Difficulty encountered when states tried to use this approach outside of state-owned land.
- Controversy over creating a dual standard for incumbent facility owners and merchant developers
- There are benefits of using corridors if it significantly streamlines the permitting process.

¹¹ Generation focus group first choice polling was tied between Status Quo and Option 2.

2.16 Topic: Alternative Sites

Alternative Sites (Generating Facilities)--Acceptable Choices

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Avg. of 7 Focus Grps. (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	SEC considers "available alternatives", however, no comprehensive analyses of alternative sites are required; applicant may include alternatives considered in its application.	0%	57%	100%	100%	100%	29%	100%	69%	57%
OPTION 2	Require analysis of alternative sites as part of filing	67%	57%	0%	14%	0%	64%	40%	35%	41%
OPTION 3	Allow SEC to request alternative sites to be presented during the proceeding without triggering new application.	92%	43%	17%	14%	0%	93%	20%	40%	52%
OPTION 4	Require state to designate areas not acceptable for energy facility sites.	42%	14%	17%	14%	0%	57%	80%	32%	34%

Alternative Sites (Generating Facilities)--First Choice

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Avg. of 7 Focus Grps (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	SEC considers "available alternatives"; however, no comprehensive analyses of alternative sites are required; applicant may include alternatives considered in its application.	0%	43%	100%	100%	100%	0%	80%	60%	47%
OPTION 2	Require analysis of alternative sites as part of filing	42%	43%	0%	0%	0%	29%	0%	16%	21%
OPTION 3	Allow SEC to request alternative sites to be presented during the proceeding without triggering new application.	42%	14%	0%	0%	0%	61%	0%	17%	25%
OPTION 4	Require state to designate areas not acceptable for energy facility sites.	17%	0%	0%	0%	0%	11%	20%	7%	8%
Total		100%	100%	100%	100%	100%	100%	100%	100%	100%

2.16.1 Discussion of the Status Quo

The polling indicates strong support for the Status Quo practice of the SEC in reviewing any alternative sites put before it but not requiring additional alternative site analysis. Five of the focus groups first choice (Generation (non-wind), Transmission/Pipelines, Wind Developers, State Agencies, and Business/Industry/Labor¹²) strongly supported the status quo. Comments in support of the status quo included:

- Developers have spent a lot of resources before submitting an application to find the appropriate site and likely have considered alternatives.
- In many cases the site options are very limited, because the applicants generally do not have eminent domain authority to gain access to multiple sites.
- Applicants will provide information about alternatives considered as a matter of course. They anticipate that if they don't provide the information, the application will not be considered complete.

2.16.2 Discussion of Alternatives

Those who thought change was needed favored Option 2 (acceptable to a majority in Environmental/Natural Resource, Business/Industry/Labor, and Citizen Groups/Local Government focus groups), which would require applicants to submit an analysis of alternatives in their filing, or Option 3, (acceptable to a majority in Environmental/Natural Resource and Citizen Groups/Local Government focus groups) which would allow the SEC to request additional analysis of alternative sites during the proceedings without triggering a new application.

- If an applicant proposes a new site once the proceedings have begun, it could be grounds for making the project developer submit a new application.
- Some were more comfortable with Option 3 because they felt that not every project was necessarily going to have a better site alternative, and therefore, it was preferable to give the SEC the authority to request an analysis.

Requiring the state to designate areas not acceptable for siting energy facilities gained the least amount of support, although 80% of the State Agency focus group members thought it was an acceptable choice.

¹² Business/Industry/Labor's first choice was tied with Option 2, requiring analysis of alternative sites as part of the filing.

2.17 Summary of Focus Groups

Below is a brief summary of each of the 15 topics in the body of this chapter. For more information on each topic, see the applicable section in the chapter.

SEC Membership and Delegation

- A majority in two focus groups [Transmission/Pipelines and State Agencies] and 21% of all the focus group participants find acceptable the status quo of 15 high-level state officials from eight agencies as members.
- A majority of six of seven focus groups support reducing the SEC—with a majority in 5 focus groups supported reducing it from eight agencies to two or three agencies. A majority of 3 different focus groupings could also support reducing membership from 15 to 8 (one from each agency) or transferring responsibility to one agency (e.g., PUC).
- Supplementing agency membership on the SEC with non-agency members was supported (i.e., found acceptable) by a majority in three of the focus groups [Environmental/Natural Resources, Business/Industry/Labor and Citizen Groups/Local Government] and by 50% of all focus group participants.
- A majority in three focus groups [Environmental/Natural Resources, Citizen Group/Local Government, State Agencies], and 38% of all focus group participants supported a free-standing council or an Independent Commissions defined as having no Agency representation, but a separate, appointed independent Commission.

Conduct of Proceedings

- A majority in five focus groups [Business/Industry/Labor, Transmission/Pipelines, Generation (non-wind), Citizen Groups/Local Government, and State Agencies] and 63% of all focus group participants supported requiring the SEC to designate subcommittees for all applicant cases as an acceptable change to the current process.
- A majority of four focus groups [Environmental/Natural Resources, Transmission/Pipelines, Wind Developers, Citizen Groups/Local Government] and 60% of all focus group participants support having a hearing officer develop an evidentiary record without making recommendations.
- A majority of five [Environmental/Natural Resources, Transmission/Pipelines, Generation (non-wind), Wind Developers, Citizen Groups/Local Government] of six focus groups polled on this topic and over 80% of all focus group participants find acceptable the option to clarify intervenor standards and procedures.

SEC Staffing

- The status quo only received majority support from two focus groups [Transmission/Pipelines, Generation (non-wind)] and 23% of all focus group participants. There is currently no dedicated, permanent staff supporting the SEC.
- A majority in all seven focus groups and 82% of all focus group participants support hiring permanent and dedicated staff to support the SEC in administrative tasks.

- A majority of five focus groups [Environmental/Natural Resources, Business/Industry/Labor, Generation, Citizen Groups/Local Government, State Agencies] and 71% of all focus group participants support hiring dedicated staff that provides substantive assistance (potentially including recommendations).

Funding

- Eighty-six (86%) percent of all focus group participants and over 70% in six of seven focus groups [all but State Agencies] find acceptable instituting a standardized application fee to cover some of all of SEC-related costs.
- Additionally, 70% of all focus group participants and over two-thirds in six of seven focus groups [all but State Agencies] find acceptable state appropriation cover some or all of the SEC's costs.

Covered Facilities and Opt-ins

- A majority in six of the seven focus groups [all but State Agencies] and 64% of all focus group participants support the status quo as an acceptable option. There are currently specific thresholds and definitions of covered facilities outlined in the statute and the provision for opt-in under certain circumstances.
- A majority in six of seven focus groups [all but Transmission/Pipelines] and 73% of all focus group participants support developing clearer, consistent criteria for the SEC to accept opt-ins.
- Making changes to the current thresholds for covered facilities or eliminating the current practice of allowing opt-ins did not receive majority support of more than one or two focus groups as acceptable options.

Public Engagement

- The status quo (minimum of one informational session, public input through in-person and written comment, and ability to file as a formal intervenor) was the only option that received the majority support from four or more of the seven focus groups [Business/Industry/Labor, Transmission/Pipelines, Generation (non-wind), Wind Developers]. It was also supported by 55% of all focus group participants.
- A more “meaningful” pre-application process was the only other option that was supported by over 50% of focus group participants (but it was only a majority in two focus groups [Environmental/Natural Resources and Generation]).
- All other options are acceptable to a majority of only one to three focus groups, but none received over 50% support of all participants.

Role of the Counsel for the Public

- The majority in all focus groups and 81% of all focus group participants supported developing clear principles or criteria to clarify the role of the Counsel for the Public.
- Providing additional resources to the Counsel for adequate participation in the SEC process was supported by 53% of all workshop participants, but only a majority in three focus groups [Environmental/Natural Resources, Business/Industry/Labor, and Citizen Groups/Local Government].

- Eliminating the Counsel for the Public and establishing a public engagement coordinator received a majority in four focus groups [Transmission/Pipelines, Generation, Wind Developers, and State Agencies] as an acceptable alternative (although this option was only supported by 35% of all focus group participants).

Required Findings

- The status quo with three findings outlined in legislation but no specific criteria has majority support from four focus groups [Business/Industry/Labor, Transmission/Pipelines, Generation, and Wind Developers], but from only 38% of all focus group participants.
- A majority in five of the seven focus groups [Business/Industry/Labor, Generation (non-wind), Wind Developers, Citizen Groups/Local Government, and State Agencies] and 72% of all the focus group participants support defining and detailing the existing three findings more clearly.
- Creating additional and more specific criteria for all energy facilities and additional and more specific criteria for certain facilities received majority support from four focus groups [Environmental/Natural Resources, Business/Industry/Labor, Citizen Groups/Local Government, and State Agencies] and 62% of all focus group participants.

State Energy Policy

- The status quo was an acceptable choice with a majority of five of the seven focus groups [Business/Industry/Labor, Transmission/Pipelines, Generation (non-wind), Wind Developers, and State Agencies] and 46% of all focus group participants. Currently the SEC may refer to state policies to support a finding of need, but is not required to consider state energy policy in its review.
- “Requiring a finding that the project is aligned with state energy policy” received 51% support of all focus group participants, but a majority in only two focus groups [Environmental/Natural Resources, Citizen Groups/Local Government].
- The option “SEC should continue to not be required to make a need finding” received strongest overall support as acceptable, with more than 60% in four focus groups [Transmission/Pipelines, Generation (non-wind), Wind Developers, and State Agencies], 50% in the other two groups [Environmental/Natural Resources, Citizen Groups/Local Government], and 63% of all focus group participants overall.
- Specifying in findings and purposes what “need” means received 51% support of all focus group participants, but only a majority in two focus groups [Environmental/Natural Resources and Citizen Groups/Local Government].

Environment and Natural Resources

- The status quo received majority support as acceptable from five of seven focus groups [Business/Industry/Labor, Transmission/Pipelines, Generation (non-wind), Wind Developers, and State Agencies] and 58% of all focus group participants (the status quo is that individual agencies exercise their permitting authority for such resources as wetlands, water, and air. Wildlife must be taken under consideration in the SEC review though there is very limited permitting by wildlife agencies.)

- Developing more specific criteria for the finding that a project should have no unreasonable adverse effect on environment and natural resources was acceptable to 54% of all focus group participants, but a majority in only three focus groups (Environmental/Natural Resources, Citizen Groups/Local Government, State Agencies).
- Requiring the SEC to honor permit conditions (and not amend) when they exist or are granted from another agency had majority support in four focus groups (Environmental/Natural Resources, Transmission/Pipelines, Generation (non-wind), and Wind Developers), but only 44% of all focus group participants.

Visual Impacts

- The status quo (SEC review case-by-case, but no formal filing requirements or evaluation criteria) had majority support in four focus groups (Business/Industry/Labor, Transmission/Pipelines, Wind Developers, and State Agencies), but only the support of 39% of all focus group participants.
- The majority of six of the seven focus groups (all but Business/Industry/Labor) and 75% of all focus group participants support adopting visual impacts-specific filing requirements.
- The majority of five or six focus groups (all but Wind Developers) and 74% of all focus groups participants also support developing criteria on how visual impacts should be evaluated by the SEC.

Noise

- The status quo (SEC review case-by-case, but no formal filing requirement or evaluation criteria) had majority support in four focus groups (Business/Industry/Labor, Transmission/Pipelines, Generation (non-wind), and Citizen Groups/Local Government) with 50% of all focus group participants supporting it.
- Seventy-two (72%) percent of all the participants and a majority in five focus groups (Environmental/Natural Resources, Business/Industry/Labor, Generation (non-wind), Citizen Groups/Local Government, State Agencies) supported a statewide relative noise standard.
- Adopting an absolute standard for noise or deferring to local noise standards received support from less than 50% of all focus group participants, and a majority of three (Environmental/Natural Resources, Citizen Groups/Local Government and Wind Developers) and two (Business/Industry/Labor and Citizen Groups/Local Government) focus groups respectively.

Orderly Development

- The status quo (SEC considers undue interference with orderly development of the region and applications submit for SEC review economic impact predictions) received a majority support in five focus groups (Business/Industry/Labor, Transmission/Pipelines, Generation (non-wind), Wind Developers, State Agencies) and with 51% of all participants.
- Seventy-one (71%) percent of all participants and a majority in five groups (Environmental/Natural Resources, Transmission/Pipelines, Generation (non-wind),

Citizen Groups/Local Government, State Agencies) think adopting more specific criteria for evaluating undue interference with orderly development is an acceptable choice.

- Adopting criteria for evaluating regional cumulative impacts within or across regions had majority support in four focus groups (Environmental/Natural Resources, Business/Industry/Labor, Citizen Groups/Local Government, and State Agencies) and was supported by 56% of all focus group participants.
- The alternative calling for the Regional Planning Commissions to conduct impact studies to ensure consistency with regional land use and economic development plans only received majority support from three focus groups (Environmental/Natural Resources, Generation (non-wind), Citizen Groups/Local Government) but less than 50% of all focus group participants.

Alternative Routes

- A majority of four focus groups (Transmission/Pipelines, Generation (non-wind), Wind Developers, State Agencies), but fewer than 50% of all focus group participants support the status quo (SEC reviewing the “available alternatives” filed by the applicant but no requirement to file the alternatives).
- Requiring analysis of alternative routes and undergrounding as part of a filing received a majority support in four focus groups (Environmental/Natural Resources, Generation (non-wind), Citizen Groups/Local Government, and State Agencies) and 65% of all focus group participants.
- Requiring analysis of alternative routes as part of a filing but undergrounding at the applicant’s discretion received a majority support in three focus groups (Environmental/Natural Resources, Business/Industry/Labor, and Transmission/Pipelines) and 52% of all focus group participants.

Alternative Sites

- A majority of five focus groups (Business/Industry/Labor, Transmission/Pipelines, Generation (non-wind), Wind Developers, and State Agencies) and 57% of all focus group participants supported the status quo (SEC reviewing the “available alternatives” filed by the applicant but no requirement to file the alternatives).
- A majority in three focus groups (Environmental/Natural Resources, Business/Industry/Labor, and Citizen Groups/Local Government) and 41% of all focus group participants supported requiring alternate site analysis as part of filing.
- Allowing SEC to request alternative sites be presented without triggering a new application was supported by a majority in two focus groups (Environmental/Natural Resources, Citizen Groups/Local Government), but by 52% of all participants.
- Requiring the state to designate areas not acceptable for energy facility sites received 20% or less support from all of the focus groups.

Chapter 3: Citizen Workshops

3.1 Introduction and Methodology

In December 2013, five citizen workshops¹³ throughout New Hampshire were facilitated by the consulting team to gather structured feedback on the SEC, its process, and the criteria used by the SEC in its decision-making.

Citizens of New Hampshire were invited to attend one of five locations for the workshops, preferably at the location closest to where they live:

- December 3, 2013 at the Manchester Memorial High School Cafeteria
- December 4, 2013 at the Groveton High School Gymnasium
- December 5, 2013 at the City of Keene Recreation Center
- December 9, 2013 at the Town of Newington Main Hall
- December 10, 2013 at the Plymouth High School

The locations of the workshops and listening sessions were selected by the Office of Energy and Planning (OEP) to provide both geographic balance and access to as many citizens as possible across New Hampshire. The Coordinating Committee, the facilitators, legislators, and other stakeholders provided input to OEP on location selection.

The workshops were publicized by a variety of means. The consulting team and OEP prepared a flyer for the workshops. The Coordinating Committee members and focus group participants were asked to also distribute the flyer to their members, constituents, colleagues, and friends. In addition, OEP sent out the flyer to its email lists, publicized the workshops in various local newspapers via a press advisory, and received radio and print coverage from some state-wide and local news outlets. As shown below in Table 3-1 below, over 300 NH citizens participated in the five citizen workshops.¹⁴

Table 3-1: Workshop Participation

Manchester	Groveton	Keene	Newington	Plymouth	Total
73	41	35	24	144	317

Each workshop was conducted using the same format, presentations, and polling questions. Meredith Hatfield, the Director of OEP, opened each workshop with a welcome, a brief description of OEP, the role of the Siting Evaluation Committee (SEC), and Senate Bill 99 that initiated this process. The facilitators also provided some introductory remarks on their overall project (including report development, focus groups, and the citizen workshops), the purpose

¹³ In addition to these five workshops, OEP also held three listening sessions (no key pad polling) during the same time period: in Colebrook on December 2, in Lebanon on December 11, and in Plymouth on December 17. Notes from these sessions can be found in the Appendix E.

¹⁴ Over 400 people registered to participate but not all registrants attended a meeting.

and format of the workshop, ground rules for the small table discussions, and an overview of keypad polling. Prior to discussion of the four substantive topic modules, the facilitators polled participants for basic demographic data from the participants in the room (e.g., gender, residency, age).

The remainder of the evening was divided into four modules on the below topics in the order noted.

- Public Engagement Process
- Noise and Visual Impacts
- State Energy Policy & Alternative Routes and Sites
- SEC Membership and Size

Each module began with a brief presentation by the facilitator on the current situation (i.e., the status quo), the arguments for and against the status quo (gleaned from the research, Coordinating Committee members, and the focus groups), options for potential improvement, and small group discussion questions. These brief presentations were followed by discussions among small tables of 5 to 8 participants, randomly assigned at registration, for between 15 and 25 minutes. Members of the consulting team, OEP staff, and several Coordinating Committee members present at each workshop were available to the small groups to answer questions about the topic or the process as needed. Participants were told that they did not need to reach agreement, but instead should have a discussion about the issues before them.

After each small group discussion for each of the modules, participants were polled on their preferences. Each participant, using a keypad polling device (see below for further description of this technology), was asked to respond to a number and variety of multiple choice and ranking questions. The questions were designed to elicit the participants' preferences among options, including the option of making no change to the current structure, process, or criteria. The results of the polling appeared on the screen at the close of polling after each question, so that the participants immediately saw the distribution of the choices of all the participants. At the end of the four modules, the facilitators conducted a brief evaluation of each workshop via keypad polling.

Citizens also had the opportunity to comment in two other ways. At the end of each workshop, OEP held a listening session for citizens to make comments on any topic that they wished. These comments were captured in writing by OEP. In addition, throughout the evening, participants were provided index cards. If they wished, they could write comments on options missed, questions not asked, or other ideas or comments throughout the night. At the end of each workshop, OEP collected and captured these comments in writing. See Appendix D for a compendium of all comments received orally or in writing as part of the workshop process.

Keypad polling was used to gather instantaneous and inclusive feedback on a number of issues and options, reflecting information gained from research, the Coordinating Committee members, and running the Focus Groups prior to the Citizen Workshops. The keypad polling

used individual cards or pads, provided to workshop participants as they registered, for participants to poll for each question presented. A central electronic receiver gathered signals from each keypad to register and compile results. The keypad polling allowed everyone in the room to privately weigh in on issues under discussion and also provided a quantitative summary of the responses in the room. The facilitators noted the following to participants about keypad polling as the night began.

- Key pad polling is anonymous (results are not linked to anyone's name or affiliation)
- The polling questions asked in the workshops had been vetted by the Coordinating Committee, but the questions were ultimately determined by consultants and OEP
- Sometimes, the facilitators noted, participants were asked to make "difficult choices" in a question because the SEC and Legislature are faced with similar hard choices and trade-offs
- Keypad polling reflects the views of those in the room. Results are from a self-selected sample of citizens (i.e. those who attended the workshops), rather than a random sample of all New Hampshire residents. However, keypad polling provides both more detailed information and citizen discussion prior to polling than typical polling. Furthermore, with sufficient workshop participation, keypad polling results can provide decision-makers quantified, detailed data on citizen preferences, especially among those of various interests who choose to be active and seek to influence policy by coming to such events as the workshops.

The remainder of this chapter captures the presentation materials and the polling results obtained from each of the four modules. The data are presented primarily through tables and graphics. These tables include the question, the percentage results by each of the five workshops, including the number of responses for that question at each workshop, and two summary data points across all workshops. The summary data include both the total percent responses by all workshop respondents regardless of which workshop they attended, and the average percent of the five workshops (weighted equally across workshops, regardless of number of participants in each).

Data are also presented, in some cases, in summary tables portraying the mean for each workshop on a scale of 1 to 6, with "1" being ineffective and "6" being effective. In some cases, we also present pie charts where data sums to 100% and the options were few enough to make such a chart useful. We also present responses to some questions in "histograms," where the total percentage of responses and the average percent of workshop responses are shown by the preferences expressed on the scale of 1 to 6 so that the reader can identify any variability that would not be obvious if we simply relayed the mean or average.

The data tables for many of the polling questions from each workshop will be discussed in this chapter. Any tables that are not included in this chapter can be found in Appendix C.

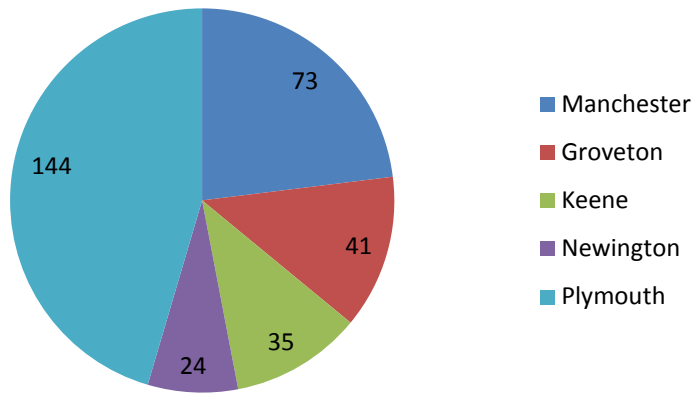
Please also note a few points about terms. We use the term “participant” or “respondent” to mean those who attended one of the public workshops and who participated in polling. We use the term “responses” to indicate each time a respondent was polled. In some questions, we asked for the participants to select their preferred option. In these cases there is one response for each respondent. In other questions, we asked for the participants to pick two or more options or choices. In these cases, the number of responses will be greater than the number of respondents. The following tables and charts in this section note how many responses or respondents polled on each question by listing the total number of responses or respondents for each question. Please note that the number of respondents may vary by question within the same workshop because some respondents might have chosen to not poll on that question, could have been out of the room during that question, or might have left early before all polling was complete.

Before polling on the four different modules, we conducted some demographic polling to see who was attending the workshop. After polling was concluded on the four different modules, we conducted a short set of evaluation polling questions on the workshop (found at the end of this chapter.)

3.1 Demographics

Over 300 New Hampshire residents attended one of the five Citizen Workshops. Attendance at each workshop ranged from 24 in Newington to 144 in Plymouth.¹⁵

Figure 3-1: Workshop Attendance



Gender distribution of workshop participants overall was 60% male and 40% female, ranging from about 55%/45% in Manchester and Plymouth to about 75%/25% male-female ratio in Groveton and Newington.

Figure 3-2: Gender

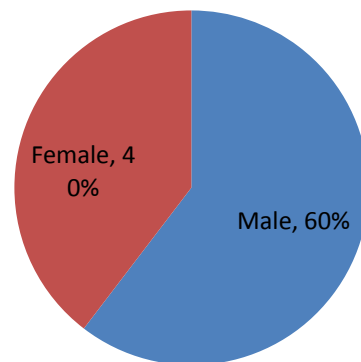
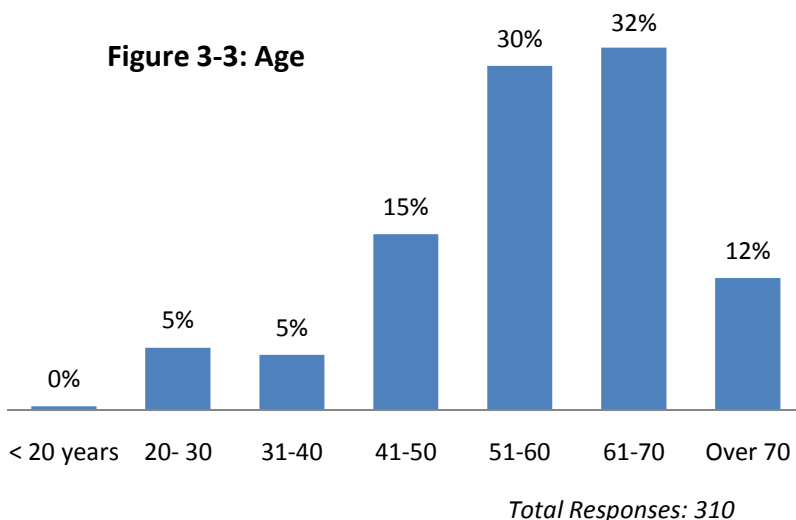


Figure 3-3: Age



Total Responses: 308

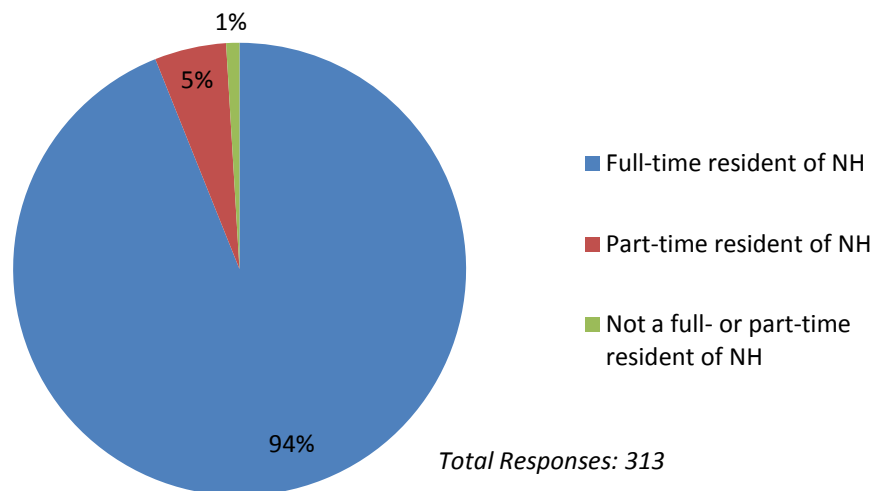
The age of all participants in the workshop ranged from under 20 to over 70. More than 74% were older than 50, and 44% were over 60 years of age. Participation of those over 50 ranged from 59% in Manchester to 88% in Keene.

Ninety-four percent of

¹⁵ Attendance was counted as the maximum number of respondents to one or more questions during the keypad polling throughout the night. Observers who did not poll were not counted as participants in the workshops.

participants were full-time residents of New Hampshire, 5% were part-time residents, and 1% stated they were not residents of the state. Fifty-seven (57%) percent of the participants had lived in New Hampshire for 25 years or longer, and 85% had lived in New Hampshire for 11 years or longer.

Figure 3-4: NH Residency



The workshops were held throughout the state to make it as convenient as possible for residents from a broad geographic range to attend. Participants were asked to attend the workshop closest to where they lived, if possible. Overall, 58% of workshop participants were from either the Lakes Region of New Hampshire (37%) or Northern New Hampshire (21%), and the rest were from other parts of the state as shown below. All of the workshops had a majority of participants from the region in which the workshop was held.

Table 3-2: Area of Residence

I currently live in:	Manchester	Groveton	Keene	Newington	Plymouth	All Workshop Participants
Northern New Hampshire	1%	95%	0%	4%	18%	21%
The Lakes Region	21%	0%	6%	4%	69%	37%
Capital Region	23%	0%	3%	8%	6%	9%
Southern New Hampshire	41%	0%	3%	13%	4%	12%
The Monadnock region	6%	0%	85%	0%	1%	11%
The Seacoast region	6%	2%	0%	71%	1%	7%
Other in NH	1%	2%	0%	0%	3%	2%
Not in NH	1%	0%	3%	0%	0%	1%
Totals	100%	100%	100%	100%	100%	100%
Responses	71	42	33	24	142	312

3.2 Topic: SEC Structure, Membership, and Process

3.2.1 Background Presentation

At the beginning of the module on public engagement, the facilitators summarized the SEC's current approach. The status quo includes:

- 15 Members from 8 Agencies
- At least 8 Members must be present at each hearing, except if application is delegated to subcommittee
- Subcommittees of 7 Members are required for all renewable energy facility applications, and at Chair's discretion for non-renewable facilities
- Members hear and decide cases directly, cases are not heard by hearing officers

Of the 15 members, the following is the SEC membership by agency and division.

- | | |
|--|---|
| • Dept. of Environmental Services (DES), Commissioner | • DRED, Director of Division of Forests and Lands |
| • DES, Director of Water Division | • Department of Health and Human Services, Commissioner |
| • DES, Director of Air Division | • Fish and Game Department, Executive Director |
| • Public Utility Commission (PUC), 3 Commissioners and a staff engineer designated by the PUC Commissioners. | • Office of Energy and Planning, Director |
| • Department of Resources and Economic Development (DRED), Commissioner | • Department of Transportation, Commissioner |
| • DRED, Director of Parks and Recreation | • Department of Cultural Resources, Commissioner |

The facilitators provided a summary of results from the Northeastern states review to offer comparisons between New Hampshire and other states. These differences regarding *agency* membership are summarized below.

State	Total Members	Agencies
NH	15	8 Agencies (As explained above)
MA	9	5 Agencies: Public Utilities Commission, Division of Energy Resources, Energy & Environmental Affairs, Dept. Environmental Protection, Housing and Economic Development
RI	3	3 Agencies: Public Utilities Commission, Department of Environmental Management, Statewide Planning
NY	7	5 Agencies: Public Service Commission, NY State Energy Research and Development Agency, Dept. Environmental Conservation, Economic Development, Dept. Of Health
CT	9	2 Agencies: Public Utilities Commission, Dept. Environmental Protection
ME	N/A	No independent siting body, directly with permitting agencies. For unincorporated areas, Land Use Regulatory Commission.
VT	3	1 Agency: Public Service Board

These differences regarding *public* membership are summarized below.

State	Total Members	Public/Other Members
NH	15	0
MA	9	3: appointed by Governor
RI	3	0
NY	7	2: Ad hoc public members per case
CT	9	7: 5 appointed by Governor, 1 by House Speaker, & 1 by Senate Pres.
VT	3	0
ME	0	0: For LURC, 13 members appointed by Senate and House and some “required” seats by interest/location/party affiliation

The facilitators then summarized arguments for and against the status quo, as gleaned from reviewing public documents related to NH's siting process, conversations with a range of stakeholders including Legislators, and from the focus group discussions.

Arguments for the Status Quo include:	Arguments against the Status Quo include:
<ul style="list-style-type: none"> • Having many agencies and Members engaged assures broad expertise represented on the SEC • Supports one-stop shopping • Members hear directly from applicants, stakeholders, and concerned citizens • Utilizes current government agencies and positions 	<ul style="list-style-type: none"> • The time commitment and responsibilities of SEC Members can be overwhelming for agency personnel, who have many other duties • Difficult to coordinate 15 Members' schedules to ensure a quorum at the hearings, resulting in delays • Members sitting in quasi-judicial role aren't permitted to consult with their staff on issues before them • Continuity and institutional memory is adversely affected by the size, since those making up quorum or sitting on subcommittees sometimes shift

The facilitators presented options for participants to consider, including the status quo. These options included below are not necessarily mutually exclusive. In other words, the SEC could take up two or more of these options to help improve the SEC's effectiveness.

- *Status quo*: 15 Members, 8 Agencies, subcommittees required for renewables and optional for non-renewables, and Members both conduct all hearings and decide
- *Smaller SEC*: Such as 5-10 Members; 1-3 Agencies (e.g. PUC/DES) with other agencies testifying as needed
- *Subcommittees*: Require use of subcommittees for all applications
- *Hearing Officers*: Allow hearing officers to hear cases, with Members still deciding cases
- *Public Membership*: Include one or more public Members alongside Agency Members on SEC
- *Independent Commission*: Have no Agency representation, but a separate appointed, independent Commission

Lastly, the facilitators offered the workshop participants three discussion questions for consideration in breakouts:

- What should be most effective size and make-up of the SEC?
- How should subcommittees and hearing officers be used?
- Which options do you prefer and why?

3.2.2 Polling

3.2.2.1 SEC Membership and Size Overall

The following table, chart, and narrative summarize polling results regarding SEC Membership and size.

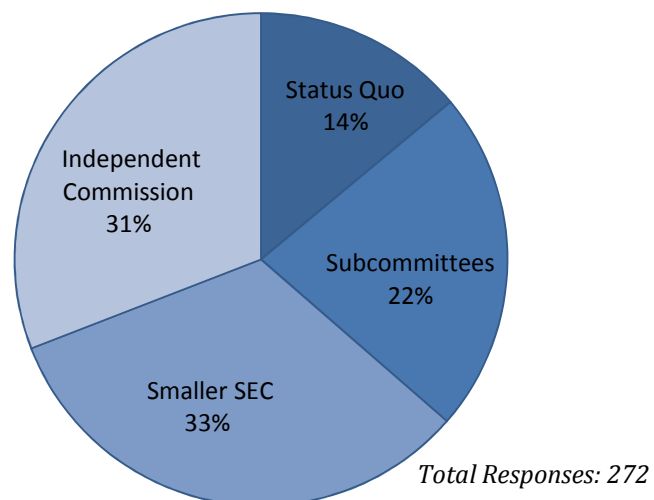
Table 3-3: State Agency Representation

Regarding State Agency representation on the SEC, should the SEC (choose one):	Manchester	Groveton	Keene	Newington	Plymouth	Average of 5 Workshops	All Workshop Participants
Status Quo	30%	18%	0%	33%	3%	17%	14%
Require Subcommittees	14%	18%	61%	19%	19%	26%	22%
Smaller SEC	36%	42%	13%	38%	32%	32%	33%
Independent Commission	20%	21%	26%	10%	45%	24%	31%
Total	100%	100%	100%	100%	100%	100%	100%
Responses	70	33	31	21	117	N/A	272

Across all five workshops, 14% of participants preferred the current status quo on size of membership. However, the participants' responses showed preferences divided among the three other options offered for polling based on registering their first choice. 33% percent of respondents preferred a smaller SEC by agency, membership, or some combination, 31% preferred an independent commission, and 22% preferred use of subcommittees in all proceedings.

The top choice results differed substantially from one workshop to another. 61% percent of Keene participants preferred the use of subcommittees. Participants from Manchester, Groveton, and Newington (36%, 42%, and 38% respectively) preferred a smaller SEC among the options and 45% of Plymouth of participants preferred an independent commission.

Figure 3-5: State Agency Representation



3.2.2.2 SEC Membership and Size

The following table, chart, and narrative summarize polling results on a second and more detailed question regarding SEC Membership and size for agency membership.

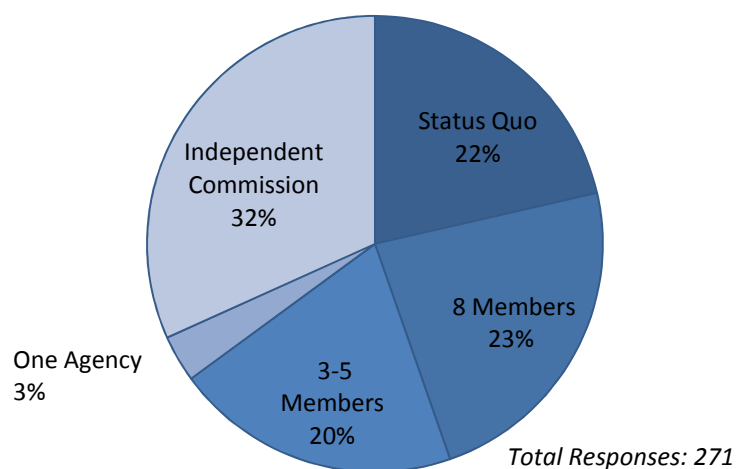
Table 3-4: SEC Detailed Agency Representation

My preference among the following more detailed options in terms of Agency representation on SEC is (choose one):	Manchester	Groveton	Keene	Newington	Plymouth	Average of 5 Workshops	All Workshop Participants
Status Quo	33%	29%	17%	38%	10%	26%	22%
8 Members	23%	24%	41%	19%	20%	25%	23%
3-5 Members	19%	21%	24%	29%	19%	22%	20%
One Agency	4%	3%	0%	10%	3%	4%	3%
Independent Commission	21%	24%	17%	5%	49%	23%	32%
Total	100%	100%	100%	100%	100%	100%	100%
Responses	70	34	29	21	117	N/A	271

When asked about reducing the size of the SEC in the question regarding agency membership, 46% of all participants preferred a smaller SEC (23% preferred 8 agencies with 8 members, 20% preferred a 3 to 5 agency member SEC, and 3% preferred one agency). 32% percent of all participants preferred an independent commission, and 22% preferred the current status quo.

Each location except Plymouth preferred a smaller SEC agency membership to either the status quo or an independent commission when the three smaller size options are totaled (though the top polling choice in four of the five workshops was the status quo). Of the smaller size options, all workshops preferred the 8 members from 8 or fewer agencies over 3-5 members from 3 agencies, with only 1 agency polling last. Only in the Newington workshop was 3-5 members from 3 agencies preferred over 8 members from 8 or fewer agencies. In Plymouth, 49% of participants preferred an independent commission.

Figure 3-6: Detailed Agency Representation



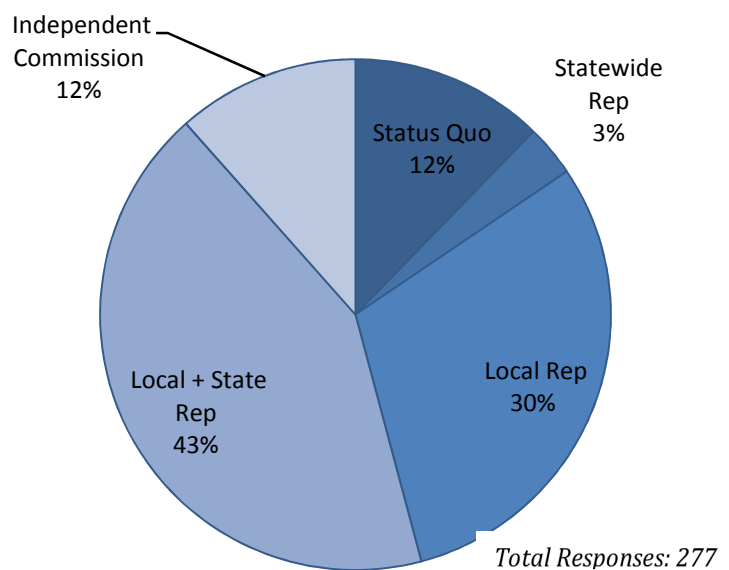
3.2.2.3 SEC Membership and Size Regarding Public Membership

The following table, chart, and narrative summarize polling results on a third and more detailed question regarding SEC Membership and public membership.

Table 3-5: Public Membership

Regarding public membership on SEC, my preference is (choose one):	Manchester	Groveton	Keene	Newington	Plymouth	Average of 5 Workshops	All Workshop Participants
Status Quo	21%	3%	10%	48%	4%	17%	12%
Statewide Representation	4%	0%	3%	0%	4%	2%	3%
Local Representation	24%	35%	34%	10%	35%	28%	30%
Statewide & Local Representation	41%	53%	45%	43%	40%	44%	43%
Independent Commission	9%	9%	7%	0%	17%	8%	12%
Totals	100%	100%	100%	100%	100%	100%	100%
Responses	70	34	29	21	123	N/A	277

Figure 3-7: Public Membership



Only 12% of participants from all five workshops preferred the current status quo on membership on the SEC for the public (i.e., no public representation currently). A preference for some kind of public SEC membership polled at 76% when the three variations for such public membership are totaled together. Among these three, the participants' responses across all workshops showed strongest preference, at 43%, for adding two or more members of the public, with at least one appointed to represent the locality or region of the proposed application and the other representing the state as a whole. "Local representation" polled second highest at 30% of all workshop participants and having only a public state-wide member polled the lowest at just 3% of all workshop participants. An independent commission garnered only 12% of respondents when combined with the option to include public members on the SEC.

Again, the results differed substantially from one workshop to another but not as much as the previous questions' responses. Newington participants' responses at 48% ranked the status quo as their highest preference while participants at all other workshop locations ranked the combination of having both statewide *and* local public representation as their highest preference, ranging from 40% to 53% of participants in each of these other four workshops.

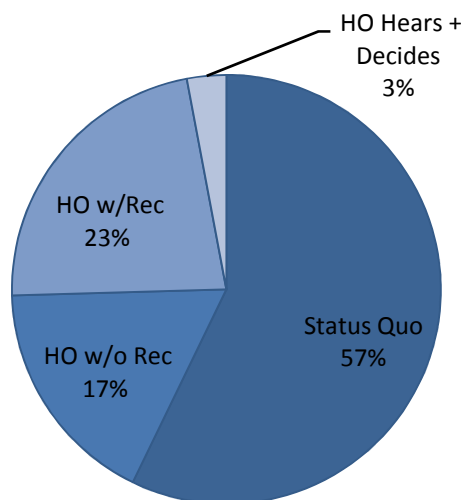
3.2.2.4 Use of Hearing Officers

The following table, chart, and narrative summarizes polling results on a question regarding the use of hearing officers

Table 3-6: Hearing Officers

Regarding the use of a hearing officer (HO), my preference is (choose one):	Manchester	Groveton	Keene	Newington	Plymouth	Average of 5 Workshops	All Workshop Participants
Status Quo	59%	65%	69%	86%	46%	65%	57%
HO Hears w/o Recommendations	17%	24%	10%	10%	19%	16%	17%
HO Hears with Recommendations	24%	12%	17%	5%	29%	17%	23%
HO Hears/Decides	0%	0%	3%	0%	6%	2%	3%
Totals	100%	100%	100%	100%	100%	100%	100%
Responses	70	34	29	21	117	N/A	271

Figure 3-8: Hearing Officers



Total Responses: 271

The current status quo of SEC members hearing cases directly from applicants, consultants, and intervenors rather than using a hearing officer drew the strongest first choice preference from all five workshops and across all participants. 57% percent of all participants selected the status quo. The use of hearing officers to preside over the hearings and make recommendations to SEC Members who would still decide the case polled the next highest at 23% of all participants. 17% percent choose as their first choice a hearing officer hearing all the evidence in a case and summarizing it (*without* recommendations), and only 3% of participants preferred that a hearing officer hear and decide cases.

The results did vary across workshop locations. Participants' first-choice preference in each of the five workshops was the status quo—to not use a hearing officer at all. However, for those participants who preferred to use a hearing officer, there was a range of opinion by location about whether hearing officers should make recommendations. More Manchester, Keene, and Plymouth respondents preferred a hearing officer making recommendations over a hearing officer only summarizing a case without recommendations. More Groveton and Newington respondents preferred a hearing office not making recommendations but rather only summarizing the case.

3.2.3 Additional Comments on SEC Structure and Membership

Participants in the workshops also provided written or verbal comments on these issues. Comments related to the topics covered in this module generally centered on timeline and resource issues. Comments recorded multiple times included:

- The SEC review timeline should be lengthened to provide sufficient time for public and municipal engagement, especially for large projects or projects with potentially significant impacts, including cumulative impacts to a region
- Consider a stepped process that allows different intensity of review and timelines depending on location, technology, and scale
- SEC needs sufficient funding for adequate staffing, potentially instituting application fees to cover up-front and non-application related SEC costs
- SEC needs to do more on compliance and monitoring
- SEC needs to pay closer attention to decommissioning process, procedures, and funding

Please see Appendix D for detailed summary of written and verbal comments that reflect the specific points, issues, ideas, and concerns raised.

3.2.4 SEC Membership, Structure, and Process Summary

The following is a brief summary of all the polling results from this module.

- 14% of participants in all five workshops preferred the current status quo on overall size and structure of SEC.
- The participants' responses showed preferences divided among the three other options offered for polling. 33% of respondents preferred a smaller SEC, 31% preferred an independent commission, and 22% preferred use of subcommittees in all proceedings.
- On a more detailed question about agency membership, 46% of all workshop participants preferred a smaller SEC (23% preferred eight agencies with eight members, 20% preferred a 3 to 5 agency member SEC, and 3% preferred only one agency). 32%

percent preferred an independent commission and 21% preferred the status quo (15 members from eight agencies).

- A preference for some kind of public SEC membership polled at 76% when the three variations for such public membership are totaled together. Among these three, the participants' responses across all workshops showed strongest preference, at 43%, for adding two or more members of the public, with at least one appointed to represent the locality or region of the proposed application and the other representing the state as a whole. An independent commission garnered only 12% of respondents when combined with the option to include public members on the SEC.
- 57% percent of all workshop participants preferred the status quo where SEC members hear directly from applicants, consultants, and intervenors and a hearing officer is not used.

3.3 Topic: Public Engagement

3.3.1 Background Presentation

At the beginning of the module on public engagement, the facilitators summarized the SEC's current approach. The status quo includes:

- The SEC must hold at least one informational public hearing in the county or counties where the facility is proposed to be; SEC may at its discretion hold additional informational hearings.
- The SEC must consider and weigh all evidence presented at public hearings and all written information and reports submitted to it by members of the public-- before, during, and subsequent to public hearings.
- Any member of the public may, at the discretion of the SEC, also become a formal intervenor in the adjudicatory proceedings. (RSA 162-H:10)
- The Counsel for the Public has full intervenor status in all SEC cases for the purpose of ensuring a balance of protecting the quality of the environment and maintaining an adequate supply of energy.

The facilitators then summarized arguments for and against the status quo, as gleaned from reviewing public documents related to NH's siting process, conversations with a range of stakeholders including Legislators, and from the focus group discussions.

Arguments for the Status Quo include:	Arguments against the Status Quo include:
<ul style="list-style-type: none">• The public has multiple ways and means to participate• The quasi-judicial format ensures adherence to statutory findings• The quasi-judicial format ensures orderly, constructive, and focused process• The SEC strives to balance local and statewide needs• The SEC must deliberate on its decision in a public meeting	<ul style="list-style-type: none">• The process is legalistic and formal which may make it less accessible to the general public• The process is time consuming and expensive to participate in• The format may favor those with expertise, past experience, and resources as compared to an average citizen• Citizens often cannot clearly see how their strong concerns have been taken into account in SEC decisions

The facilitators then presented several options for participants to consider, including the status quo. These options included below are not necessarily mutually exclusive from one another. In other words, the SEC could take up two or more of these options to help improve public engagement.

- *Status Quo*: Minimum of one informational session in county where proposed facility located; public input is through in-person and in-writing comment during meetings or adjudicatory hearings and citizens can file to become a formal intervenor
- *Pre-Application Process*: Adopt a "meaningful" pre-application process that engages the affected communities
- *Required Meetings*: Require at least two community meetings, one with the developer during the pre-filing phase and another with SEC representatives post-filing
- *Intervenor Funding*: Applicants provide intervenor funding for participating in adjudicatory proceedings
- *Public Engagement Coordinator*: Create an SEC position for public engagement coordination
- *SEC Membership*: Supplement Agency Members with non-Agency Members (i.e., regional representation and/or public members)
- *Counsel for the Public*: Strengthen the role as public advocate and provide additional resources

Lastly, we offered the workshop participants three discussion questions for consideration in breakouts:

- What does “meaningful” public engagement mean to you?
- How might the SEC best balance local concerns with private interests and statewide public interests?
- Which of the options just listed do you think will ensure the most effective public engagement?

3.3.2 Polling

3.3.2.1 SEC Participation

The following table and narrative summarizes polling results regarding attendance at SEC proceedings.

Table 3-7: Participation

Indicate below whether you have attended any of the following (choose as many as apply to you):	Manchester	Groveton	Keene	Newington	Plymouth	Average of 5 Workshops	All Workshop Participants
SEC informational meeting in county where a facility is proposed	18%	30%	11%	7%	25%	18%	21%
SEC adjudicatory proceeding as an intervenor	3%	7%	23%	4%	4%	8%	6%
SEC adjudicatory proceeding as an applicant or on behalf of an applicant	1%	7%	5%	4%	5%	4%	4%
SEC adjudicatory proceeding as an observer	15%	16%	16%	19%	18%	17%	17%
None of the above	64%	41%	45%	67%	49%	53%	52%
Total	100%	100%	100%	100%	100%	100%	100%
Responses	80	61	44	27	177	N/A	389

52% percent of the Citizen Workshop participants had not participated directly in a SEC proceeding, be that a county informational meeting sponsored by the SEC or a formal SEC hearing. The remaining 48% had participated in one or more SEC proceedings as an interested citizen, formal intervenor, and/or as or on behalf of an applicant. Of those who attended one or more SEC proceedings, most participated in a SEC-sponsored county meeting or observed a formal SEC hearing, but not as a formal intervenor or as a representative of an applicant. The participants were not asked if they participated in one or more public events related to an energy facility sponsored by an applicant or an individual state or federal agency.

3.3.2.2 SEC Effectiveness

The following table and narrative summarizes polling results on SEC effectiveness in soliciting public input.

Table 3-8: SEC Public Input

How effective is the current SEC process in soliciting meaningful public input in its review of an application?	Manchester	Groveton	Keene	Newington	Plymouth	Ave. of 5 Workshops	All Workshop Participants
1 - Very Ineffective	48%	40%	12%	8%	47%	31%	40%
2	6%	19%	21%	17%	23%	17%	18%
3	11%	10%	18%	13%	4%	11%	9%
4	5%	2%	3%	4%	4%	4%	4%
5	5%	7%	6%	8%	4%	6%	5%
6 - Very effective	5%	7%	3%	21%	6%	8%	7%
7 - I don't know	21%	14%	36%	29%	11%	22%	18%
Total	100%	100%	100%	100%	100%	100%	100%
Responses	66	42	33	24	140	N/A	305
Mean	2.0	2.3	2.7	3.7	2.0	2.5	2.2

Participants were asked how effective is the current SEC process in *soliciting meaningful public input* in its review of an application, with one (1) being very ineffective and six (6) being very effective. The mean of all participant workshops was 2.2, which correlates to “ineffective” to “somewhat ineffective” on the scale of 1 to 6.¹⁶ One should note that while all but the Newington workshop means ranged between 2 and 2.7, Newington stands out as different with a mean of 3.7, or approaching a view of the SEC as “somewhat effective.”

67% percent of participants from all five workshops concluded that the current SEC process ranged from very ineffective to somewhat ineffective in soliciting meaningful public input (rating the process a 1, 2, or 3). 16% percent found it somewhat to very effective (rating the process 4, 5, or 6), and 18% polled that they did not know.

The results from individual workshops varied significantly. For instance, only 3% of Keene participants found the SEC very effective in soliciting meaningful public input while 21% of Newington participants found it very effective. 36% percent of Keene participants stated they did not know while only 11% of Plymouth participants stated the same.

¹⁶ The rating of 7 or “don’t know” is not included in the calculations of the means.

Table 3-9: SEC Decision-making Process

How well does the SEC currently do in considering and weighing public input into its decision-making process?	Manchester	Groveton	Keene	Newington	Plymouth	Average of 5 Workshops	All Workshop Participants
1 - Very ineffective	36%	37%	3%	9%	45%	26%	35%
2	10%	15%	22%	13%	15%	15%	14%
3	3%	12%	16%	9%	8%	9%	8%
4	10%	7%	13%	9%	4%	8%	7%
5	10%	2%	0%	9%	1%	4%	4%
6 - Very effective	11%	12%	6%	22%	7%	12%	10%
7 - I don't know	22%	15%	41%	30%	20%	26%	23%
Total	100%	100%	100%	100%	100%	100%	100%
Responses	73	41	32	23	142	N/A	311
Mean	2.8	2.5	3.1	3.9	2.0	2.9	2.5

Participants were also asked how well the SEC currently does in *considering and weighing public input into its decision-making process*, with one (1) being very ineffective and six (6) being very effective. The mean of all workshop participants was 2.5, which correlates to “somewhat ineffective” to “ineffective” on the scale of 1 to 6. One should note that responses from different workshops varied widely. For instance, Plymouth participants’ mean response was 2.0 while Newington participants’ mean response was 3.9.

57% percent of participants from all five workshops concluded that the current SEC process ranged from very ineffective to somewhat ineffective (1 to 3) in soliciting meaningful public input. 21% percent found it somewhat to very effective (4 to 6), and 23% did not know. Again, the results from individual workshops varied significantly. For instance, 22% of Newington respondents found the SEC very effective in considering and weighing public input while only 6% in Keene stated the same.

3.3.2.3 SEC Public Engagement Potential Changes

The participants were polled on a number of possible options for how the SEC engages the public, including the status quo. The polling question was: “Of the following potential changes or supplements to the current SEC related public engagement process, which three options would do the MOST to improve public engagement (choose your top THREE).”

The following table, chart and narrative summarize polling results on potential changes to the SEC’s process for engaging the public.

Table 3-10: Most Effective Options

Of the following potential changes or supplements to the current SEC related public engagement process, which three options would do the MOST to improve public engagement (choose bottom THREE):	Manchester	Groveton	Keene	Newington	Plymouth	Ave. of 5 Workshops	All Workshop Participants
Status quo	6%	7%	1%	16%	5%	7%	6%
Pre-Application Process	19%	24%	22%	26%	20%	22%	21%
Required Meetings	17%	20%	18%	19%	19%	19%	19%
Intervenor Funding	13%	8%	18%	14%	13%	13%	13%
Public Engagement Coordinator	16%	8%	18%	14%	13%	14%	13%
SEC Membership	13%	23%	9%	5%	17%	13%	15%
Counsel for the Public	15%	10%	11%	7%	13%	11%	13%
Total	100%	100%	100%	100%	100%	100%	100%
Responses	201	122	89	58	392	N/A	862

Across all workshops, 6% of responses included the status quo as one of three top choices. “Requiring a pre-application process” polled the highest, with 21% of all responses. “Requiring at least two public meetings (one by the applicant prior to filing and another by the SEC after the filing)” polled next highest at 19% of all responses, followed by “One or more public member on the SEC” receiving 15% of all responses. The remaining options all polled at 13%-- “having the applicant provide intervenor funding,” “having a public engagement coordinator at the SEC,” and “strengthening the role of the Counsel for the Public.”

Though the results did not vary widely across the locations, there were some differences. “A required pre-application process” ranked first, as ordered by highest number of responses from each of the workshops, “required public meetings” ranked second among responses from four

of the workshops, and “improving the role of the Counsel for the Public” ranked fourth or fifth in each workshop. Other options varied more widely. For example, “intervenor funding” tied for second in Keene with two other options while it ranked 5th in Groveton and Manchester.

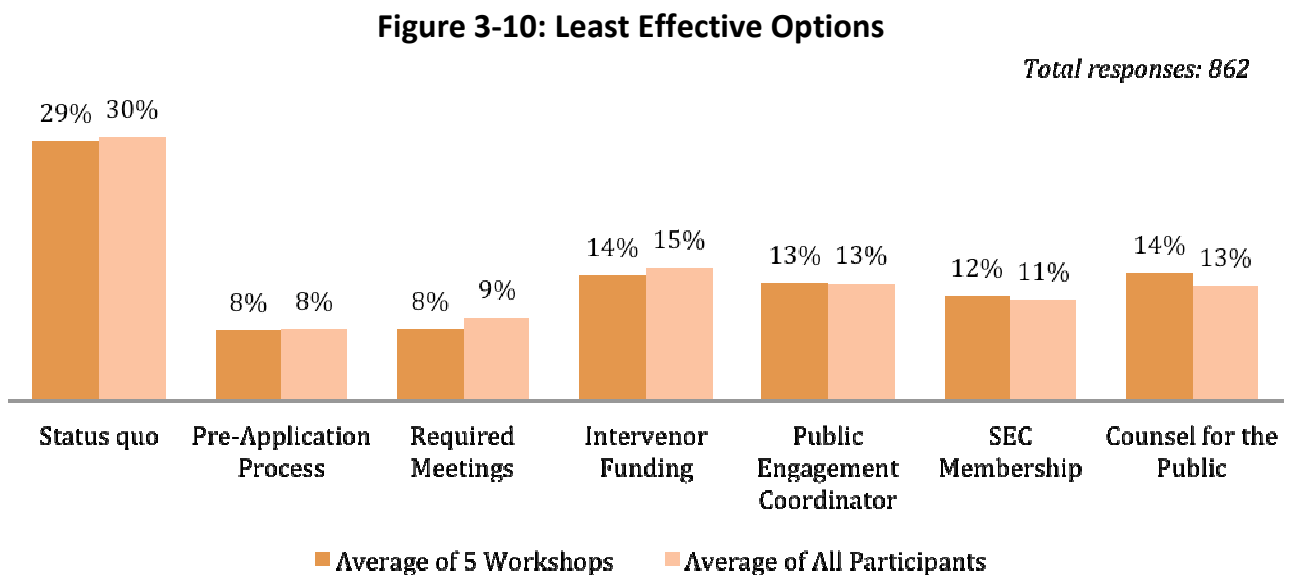
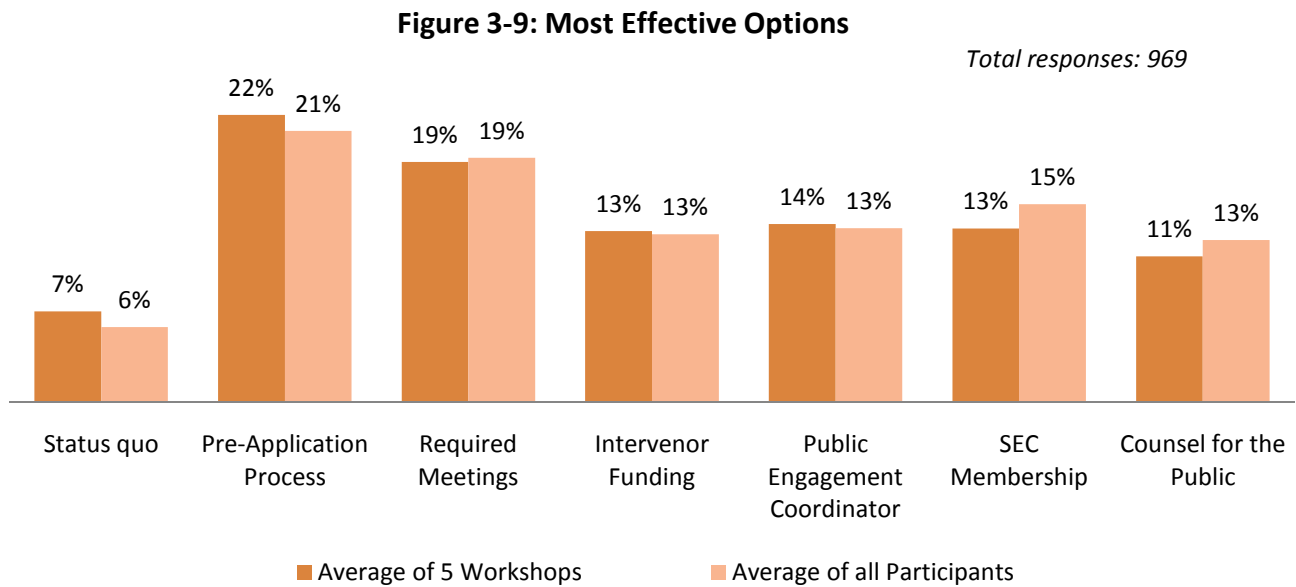
We also polled participants on the same options but asked: “Of the following potential changes or supplements to the current SEC-related public engagement process, which three options would do the LEAST to improve public engagement (choose your top THREE).”

Table 3-11: Least Effective Options

Of the following potential changes or supplements to the current SEC related public engagement process, which three options would do the LEAST to improve public engagement (choose bottom THREE):	Manchester	Groveton	Keene	Newington	Plymouth	Average of 5 Workshops	All Workshop Participants
Status quo	27%	29%	32%	24%	34%	29%	30%
Pre-Application Process	9%	6%	9%	8%	7%	8%	8%
Required Meetings	14%	6%	6%	10%	5%	8%	9%
Intervenor Funding	15%	19%	6%	14%	17%	14%	15%
Public Engagement Coordinator	10%	18%	10%	12%	17%	13%	13%
SEC Membership	14%	7%	18%	12%	8%	12%	11%
Counsel for the Public	13%	14%	16%	18%	12%	14%	13%
Total	100%	100%	100%	100%	100%	100%	100%
Responses	199	113	90	49	319	N/A	969

The results mirrored the results in the polling on “most effective” and thus confirmed lowest support for the “status quo,” highest support for “a pre-application process” and “required meetings” and some support for the other options: “intervenor funding,” “strengthening the role of the Counsel for the Public,” and “having a public engagement coordinator at the SEC.”

The following two charts indicate the same results, but in bar chart format, for the polling on the most and least effective public engagement options.



3.3.3 Additional Comments on Public Engagement

Participants in the workshops also provided written or verbal comments on these issues. Comments often touched on increased public engagement and on the balance of control between the state and local authorities. Comments heard multiple times included:

- Improve notification of SEC proceedings to the public, expanding beyond basic legal and media notices, and add more than one meeting in affected county
- Increase SEC responsiveness and transparency to the public by responding in writing to public comments and/or including in final decisions clear and detailed delineations of arguments for and against the proposed project
- The SEC should show local ordinances, zoning, and standards more deference
- Provide intervenor funding for municipalities to respond to applications within their borders
- Give the local municipalities or regions greater say in decision making process

Please see Appendix D for a detailed summary of comments that reflect the specific points, issues, ideas, and concerns raised.

3.3.4 Public Engagement Summary

The following is a brief summary of all the polling results from this module.

- Slightly more than half, or 52% of the participants, had not participated directly in a SEC proceeding.
- 67% of participants from all five workshops concluded that the current SEC process is very to somewhat ineffective (1 to 3) in soliciting meaningful public input. 57% percent of participants from all five workshops also concluded that the SEC is very to somewhat ineffective (1 to 3) in considering and weighing public input into its decision making process.
- However, approximately one-fifth of all respondents to the two questions on the SEC's public engagement effectiveness polled "I don't know" and there were significant differences in results across the five workshop sites.
- The top three supported potential improvements to SEC public engagement included: "A required pre-application procedure," with 21% of all responses; "additional required meetings" with 19% of all responses; and "one or more public member on the SEC" receiving 15% of all responses.
- The "status quo" was clearly the least popular option with only 6% of responses indicating it as one of three most effective choices, and 30% of responses indicating it as one of three least effective options.
- The other options all received similar and more modest support: "intervenor funding," "strengthening the role of the Counsel for the Public," and "having a public engagement coordinator at the SEC."

3.4 Topic: Noise and Visual Impacts

3.4.1 Presentation

This module included two different topics: noise and visual impacts.

At the beginning of this module, the facilitators summarized the SEC's current approach to potential noise impacts. The status quo includes:

- The SEC does not currently have criteria governing noise levels of energy facilities and has addressed noise on a case-by-case basis.
- Some municipalities may have or be considering adopting local noise ordinances.
- The SEC has the authority to override local noise ordinances if it finds reason to in its review of an application.

The facilitators also summarized the SEC's current approach to potential visual impacts. The status quo includes:

- SEC addresses visual impacts on case-by-case basis.
- No consistent, formalized visual impacts-related filing requirements or standards for energy facilities currently exist.

The facilitators noted some issues related to these two impacts:

- For both visual impacts and noise, the SEC does not have detailed guidance for required submissions: i.e., which studies, methodology, format, or level of detail.
- The SEC does not have detailed methodologies, guidelines, or criteria for how it should evaluate, analyze, and weigh impacts of noise or visual impacts across cases. It relies on expert analysis and the particular conditions and circumstances in each case.
- There are a diversity of ways northeastern states have or are trying to address noise and visual impacts.

The facilitators then summarized arguments for and against the status quo, as gleaned from reviewing public documents related to NH's siting process, conversations with a range of stakeholders including Legislators, and from the focus group discussions.

Arguments for the Status Quo include:	Arguments against the Status Quo include:
<ul style="list-style-type: none">• Allows for different levels of submission depending on scale of project & community concern• Does not try to standardize complex issues that have varying human response• Allows the SEC to take into account the specific context (ambient noise, surrounding landscape, etc.) of each site	<ul style="list-style-type: none">• May allow for inconsistency in submittals, analysis and decisions across cases• Creates uncertainty for applicants about submittal requirements and basis for review and approval• Creates uncertainty for communities about what to expect in terms of submittals and basis for review and approval

The facilitators presented options for participants to consider for potential noise impacts. The options included:

- **Status Quo:** SEC addresses noise impacts on case by case basis, no standard noise filing requirement or standards
- **SEC Filing Requirements:** Adopt noise impact specific filings requirements such as background baseline monitoring and energy facility noise modeling
- **Statewide Standard:** Adopt a statewide standard for noise
- **Local Preference on Noise:** Allow local governments to set their own energy facility noise standards that SEC would defer to when reviewing an application in that jurisdiction

The facilitators presented options for participants to consider for potential visual impacts. The options included:

- **Status Quo:** SEC addresses visual impacts on case by case basis with no standard filing requirements or evaluation criteria
- **SEC Filing Requirements:** Adopt visual impacts-specific filings requirements such as visualization studies, view shed studies, community surveys, etc.
- **SEC Review Criteria:** Develop criteria for how visual impacts must be evaluated by the SEC
- **Mitigation Guidance:** SEC establishes guidance that applicants can use to mitigate potential adverse visual disruptions (i.e., color, signage, screening, setbacks)

Discussion Questions

Lastly, the facilitators offered the workshop participants several questions for consideration in break out groups. The questions for noise included:

- Should the state develop statewide noise standards for energy facilities?
 - Should they be the same standard for all types of energy facilities or different for different types of facilities?¹⁷
 - If there is a state standard, should it be based on:
 - An absolute standard (e.g., can't be louder than X decibels in total)
 - A relative standard (e.g., can't be louder than Y decibels above typical background noise)
- If no statewide noise standard, should the SEC defer to local noise standards, if they exist?

¹⁷ Note that we did not have a polling question directly related to this question.

The discussion questions for visual impacts included:

- Should the SEC address visual impacts on a case-by-case basis?
- Should the SEC develop specific requirements across cases for:
 - Filing requirements such as required visualization studies, viewshed studies, community surveys, etc.
 - Required criteria for how visual impacts must be evaluated by the SEC consistently across cases
- Should the SEC establish guidance that applicants can use to mitigate potential adverse visual disruptions (i.e., color, signage, screening, setbacks)?

3.4.2 Polling

3.4.2.1 Energy Facility Potential Environmental Impacts

The intent of this module was to focus primarily on noise and visual impacts-- two impacts that emerged as areas of greatest interest in the research, interviews with stakeholders, and focus groups. However, the facilitators also wanted to provide an opportunity for participants to weigh in on a wider range of potential environmental impacts associated with energy facility siting. Respondents were asked to select two among seven potential impacts, one of which included “other.” Participants were polled on these impacts using two questions: what impacts concern you the *most* and what impacts concern you the *least*.

When ordered by total number of responses, three potential impacts of *most* concern ranked the highest: visual impacts (26%), greenhouse gas/climate impacts (17%), and air quality impacts (16%). Three other impacts ranked lower, respectively – water (14%), noise (12%), and wildlife (11%).

Table 3-12: Impacts of Most Concern Rank Order	
Visual Impacts	26%
Greenhouse Gas/Climate Impacts	17%
Air Quality Impacts	16%
Water Impacts	14%
Noise Impacts	12%
Wildlife Impacts	11%
Other Impacts	3%

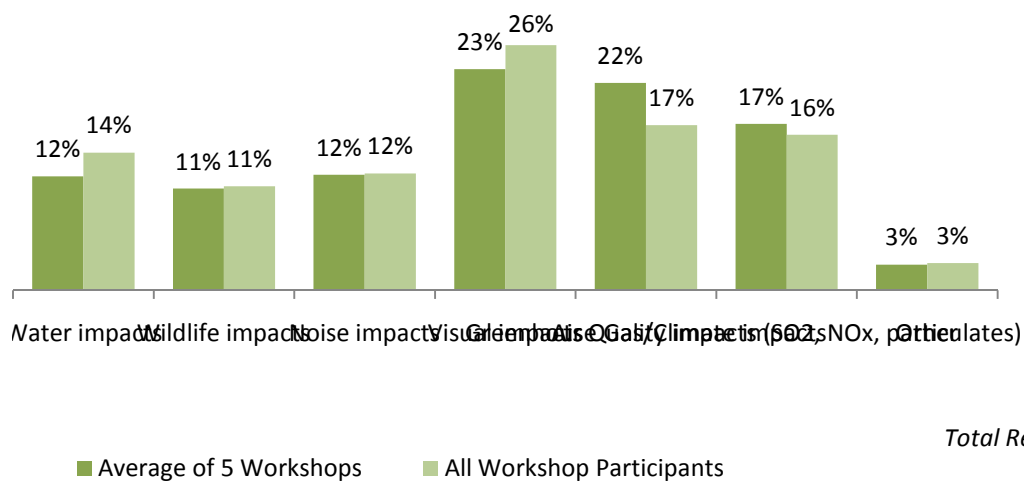
The following table and narrative summarize polling results regarding potential impacts of *most* concern by workshop.

Table 3-13: Potential Impacts of Most Concern

Which of these energy facilities-related potential impacts concern you the most (choose two):	Manchester	Groveton	Keene	Newington	Plymouth	Ave. of 5 Workshops	All Workshops
Water impacts	12%	14%	11%	5%	18%	12%	14%
Wildlife impacts	11%	11%	11%	9%	11%	11%	11%
Noise impacts	11%	11%	19%	7%	12%	12%	12%
Visual impacts	25%	31%	20%	12%	28%	23%	26%
Greenhouse Gas/Climate impacts	21%	14%	23%	40%	12%	22%	17%
Air Quality impacts (SO ₂ , NO _x , particulates)	18%	15%	14%	26%	15%	17%	16%
Other	3%	4%	2%	2%	3%	3%	3%
Total	100%	100%	100%	100%	100%	100%	100%
Responses	141	80	64	43	266	N/A	594

The rankings were different across the workshops. For example, in Manchester, Groveton, and Plymouth, visual impacts ranked as the highest concern among total responses, while in Keene and Newington, greenhouse gas/climate impacts ranked as the highest concern among total responses in those workshops. Visual impacts ranked highest or second in responses among all workshops, except for Newington, where it ranked third by responses. The following chart summarizes these same results in bar chart format.

Figure 3-11: Potential Impacts of Most Concern



We also asked participants to rank the two potential impacts of “least concern.” The following table and narrative summarize polling results regarding potential impacts of *least* concern.

Table 3-14: Potential Impacts of Least Concern

Which of these energy facilities-related potential impacts concern you the least (choose two):	Manchester	Groveton	Keene	Newington	Plymouth	Ave. of 5 Workshops	All Workshops
Water impacts	9%	14%	7%	7%	5%	8%	8%
Wildlife impacts	9%	11%	4%	9%	10%	9%	9%
Noise impacts	17%	11%	18%	36%	12%	19%	16%
Visual impacts	20%	11%	16%	31%	11%	18%	15%
Greenhouse Gas/Climate impacts	17%	20%	18%	4%	21%	16%	18%
Air impacts (SO ₂ , NO _x , etc.)	14%	11%	19%	2%	16%	12%	14%
Other	14%	21%	19%	11%	25%	18%	20%
Total	100%	100%	100%	100%	100%	100%	100%
Responses	132	71	57	45	241	N/A	546

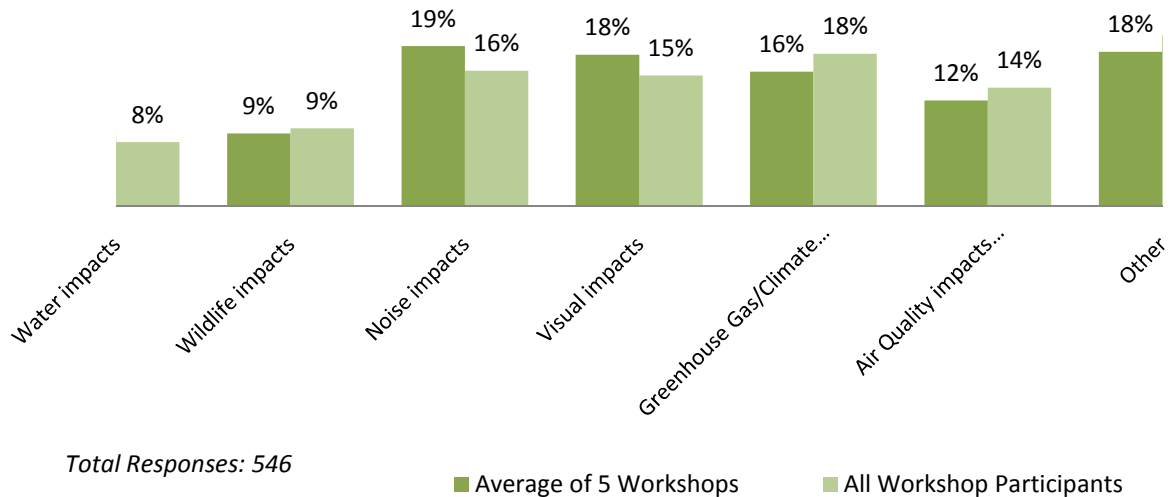
Visual and greenhouse gas impacts ranked high for impacts of *most* concern and also high for impacts of *least* concern. 18% percent of all responses for *least* concern included greenhouse gas/climate impacts, and 15% for visual impacts.

When each workshop’s responses are viewed, again the impacts of *least* concern varied. Manchester responses ranked visual as of *least* concern. Newington responses ranked noise as of *least* concern. Groveton and Plymouth responses ranked “other” as of *least* concern. Keene responses ranked air quality and “other” as of *least* concern.

Table 3-15: Impacts of Least Concern Rank Order	
Other	20%
Greenhouse Gas/Climate Impacts	18%
Noise Impacts	16%
Visual Impacts	15%
Air Quality Impacts	14%
Wildlife Impacts	9%
Water Impacts	8%

The following chart summarizes the same table results “of least concern” in bar chart format.

Figure 3-12: Potential Impacts of Least Concern



3.4.2.2 Noise Impacts

We polled participants on a range of options addressing potential noise impacts, using a scale from 1 to 6, with 1 being not effective and 6 being very effective.¹⁸

Table 3-16 Noise Impact Means

Noise Impacts – Means by Option	Manchester	Groveton	Keene	Newington	Plymouth	Average of 5 Workshops	All Workshops
Local Preference	3.7	5.0	4.3	3.0	4.3	4.0	4.1
SEC Filing	4.0	3.7	4.0	3.7	3.6	3.8	3.7
State Noise Standard	4.0	4.0	3.3	2.4	3.8	3.5	3.7
Status Quo	2.9	1.9	2.2	3.8	2.1	2.6	2.4

Of the options polled on addressing potential noise impacts, across all workshop respondents, “Local Preference” rated the highest with a mean of 4.1, “SEC Filing Requirements” and “Statewide Noise Standard” tied for second with means of 3.7 each, and the “Status Quo” the least support at 2.4.

¹⁸ We did not allow for respondents to answer “don’t know” in these questions.

The following tables and charts provide the polling results for each of the individual options to address potential noise impacts.

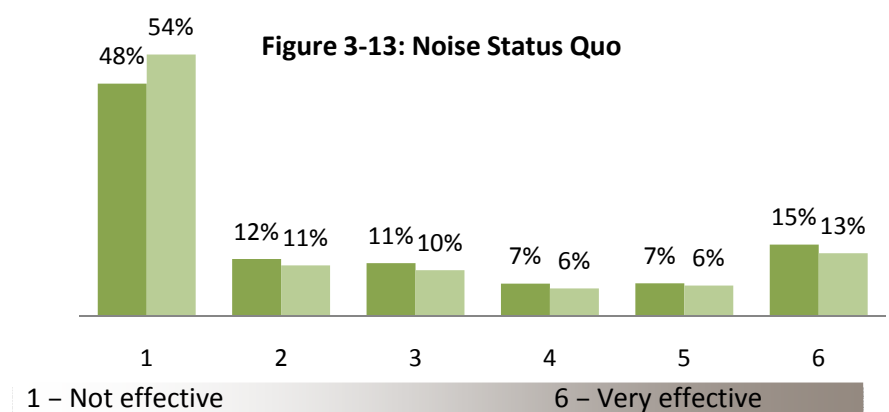
Noise Status Quo. The mean of all workshop respondents was 2.4 for the “status quo: SEC addresses noise impacts on case-by-case basis, no standard noise filing requirement or standards,” indicating low support for this option.¹⁹ Groveton and Plymouth rated the status quo lower, with a mean in each workshop of 1.9 and 2.1 respectively, while Manchester and Newington rated it somewhat higher, with a mean in each of those workshops at 2.9 and 3.8.

Table 3-17 Noise Status Quo

Status Quo: SEC addresses noise impacts on case by case basis, no standard noise filing requirement or standards	Manchester	Groveton	Keene	Newington	Plymouth	Ave. of 5 Workshops	All Workshop Participants
1 - Not effective	42%	73%	47%	17%	63%	48%	54%
2	14%	5%	16%	17%	8%	12%	11%
3	7%	5%	22%	13%	9%	11%	10%
4	6%	5%	6%	13%	5%	7%	6%
5	10%	5%	6%	8%	5%	7%	6%
6 - Very effective	21%	7%	3%	33%	10%	15%	13%
Total	100%	100%	100%	100%	100%	100%	100%
Responses	71	41	32	24	144	N/A	312
Mean	2.9	1.9	2.2	3.8	2.1	2.6	2.4

The following chart summarizes the same table results for “the status quo” in bar chart format.

54% percent of all workshop respondents gave the status quo regarding addressing noise impacts a 1 or “not effective,” which is substantially more than the next number of responses at 13% for “very effective” or 6.



¹⁹ On a 1 to 6 scale, the mid-point is 3.5. We consider anything below 2.5 to be a “low” rating, from 2.5-4.5 a “medium” rating, and above 4.5 to be a “high” rating.

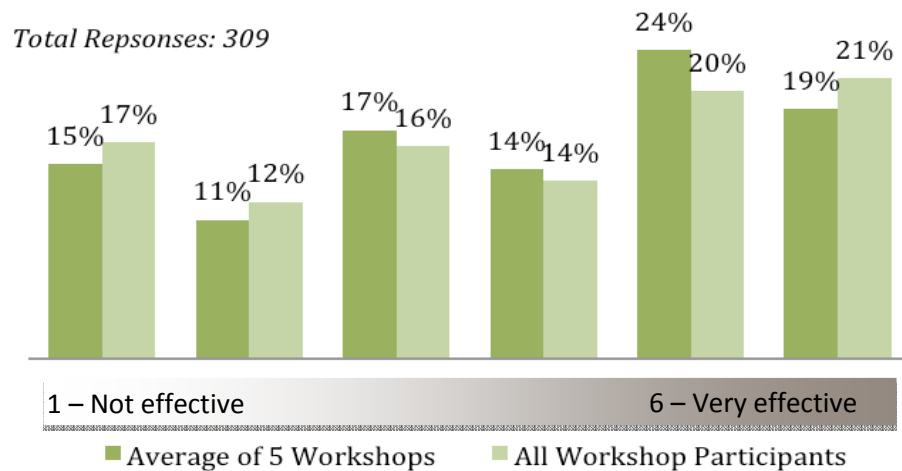
Noise SEC Filing Requirements. The mean of all workshop respondents was 3.7, for the “SEC Filing Requirements: adopt noise impact specific filings requirements such as background baseline monitoring and energy facility noise modeling,” a rating substantially higher than for the “status quo.”

Table 3-18: SEC Filing Requirements

SEC Filing Requirements: Adopt noise impact specific filings requirements such as background baseline monitoring and energy facility noise modeling	Manchester	Groveton	Keene	Newington	Plymouth	Ave. of 5 Workshops	All Workshops
1 - Not effective	10%	13%	9%	21%	22%	15%	17%
2	13%	13%	6%	8%	13%	11%	12%
3	17%	25%	15%	17%	13%	17%	16%
4	15%	10%	27%	8%	11%	14%	14%
5	15%	25%	30%	29%	18%	24%	20%
6 - Very effective	30%	15%	12%	17%	22%	19%	21%
Total	100%	100%	100%	100%	100%	100%	100%
Responses	71	40	33	24	141	n/a	309
Mean	4.0	3.7	4.0	3.7	3.6	3.8	3.7

Manchester and Keene rated this option highest with a mean of 4.0. Groveton, Newington, and Plymouth rated it as slightly lower with a mean of 3.7, 3.7 and 3.6 respectively. When one views the results across each of the six possible ratings, however, it becomes clearer that respondents were of more mixed views on the effectiveness of this option. 21% of respondents gave this option a rating of 6, or very effective, but 17% of respondents also gave this option a 1, or very ineffective. The following chart summarizes the same table results for the SEC Filing Requirement options in bar chart format.

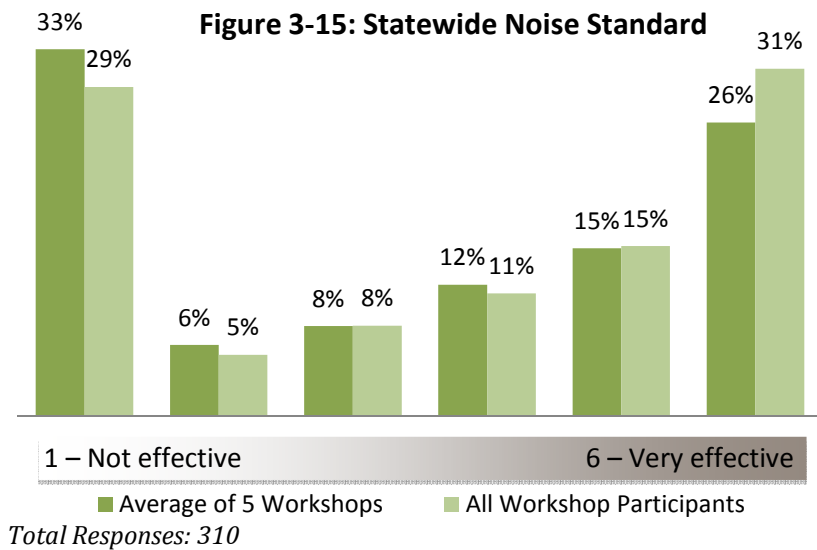
Figure 3-14: SEC Filing Requirements for Noise



State-Wide Noise Standard. The mean of all workshop respondents for “adopt a statewide standard for noise” was 3.7, the same mean as for “SEC Filing Requirements.” Manchester and Groveton rated this option highest at 4.0, followed closely by Manchester at a mean of 3.8. Keene rated this option as somewhat lower at 3.3 and Newington rated this option lowest at 2.4

Table 3-19: Statewide Noise Standard

Statewide Standard: Adopt a statewide standard for noise	Manchester	Groveton	Keene	Newington	Plymouth	Ave. of 5 Workshops	All Workshops
1 - Not effective	27%	22%	28%	58%	28%	33%	29%
2	3%	7%	13%	4%	5%	6%	5%
3	9%	7%	13%	4%	8%	8%	8%
4	7%	12%	16%	13%	11%	12%	11%
5	17%	17%	9%	17%	15%	15%	15%
6 - Very effective	37%	34%	22%	4%	34%	26%	31%
Total	100%	100%	100%	100%	100%	100%	100%
Responses	70	41	32	24	143	n/a	310
Mean	4.0	4.0	3.3	2.4	3.8	3.5	3.7



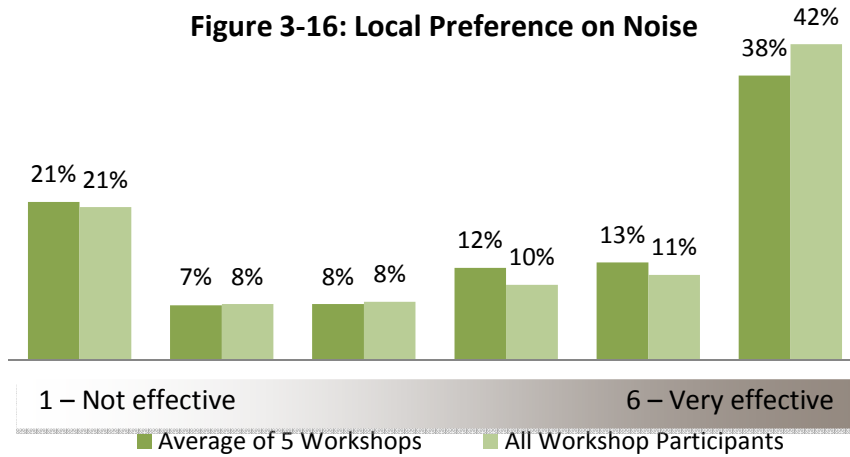
There is a “bimodal” split on whether this option would be effective. While 31% of all respondents rated this option as very effective, almost the same amount, or 29%, ranked this option as not effective. The first choice at three workshops - Manchester, Groveton, and Plymouth - “very effective,” while Keene’s and Newington’s respondents’ first choice was “not effective.”

Local Preference. The mean of all workshop respondents was 4.1 for “Local Preference on Noise: Allow local governments to set their own energy facility noise standards, that SEC would defer to when reviewing an application in that jurisdiction.” Keene and Plymouth respondents both rated this option highest at a mean of 4.3, followed by Manchester at a mean of 4.0, Groveton at 3.7 and Newington at 3.0.

Table 3-20: Local Preference on Noise

D. Local Preference on Noise: Allow local govts to set energy facility noise standards that SEC would defer to for an application in that jurisdiction	Manchester	Groveton	Keene	Newington	Plymouth	Ave. of 5 Workshops	All Workshops
1 - not effective	30%	10%	6%	42%	19%	21%	21%
2	4%	2%	13%	8%	9%	7%	8%
3	11%	2%	13%	4%	7%	8%	8%
4	11%	10%	22%	13%	6%	12%	10%
5	10%	17%	13%	17%	9%	13%	11%
6 - very effective	33%	59%	34%	17%	49%	38%	42%
Totals	100%	100%	100%	100%	100%	100%	100%
Responses	70	41	32	24	139	N/A	306
Mean	3.7	5.0	4.3	3.0	4.3	4.0	4.1

Figure 3-16: Local Preference on Noise



Total Responses: 306

There is also a bimodal split for this option, though not as strong as in the state-wide standard responses. While 42% of all respondents rated this option as very effective, the next most common selection was 1, or not effective. Respondents at four workshops gave this

option a 6 or “very effective” as their first choice – Manchester, Groveton, Plymouth, and Keene – while Newington’s first choice was 1, or “not effective.”

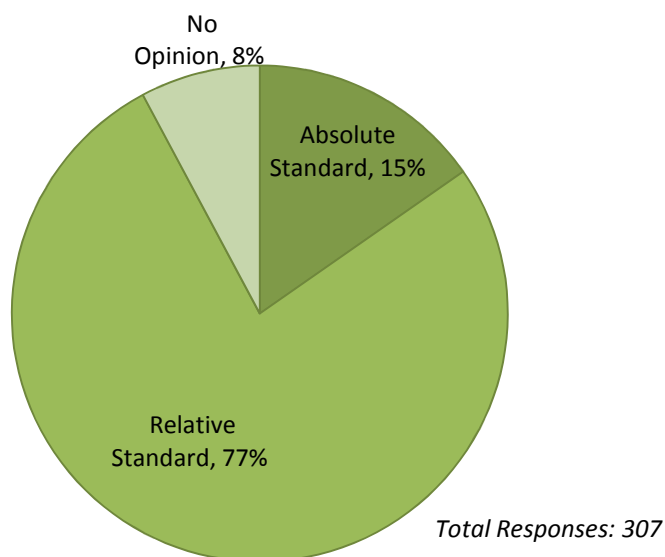
Type of Noise Standard. We also polled participants on what kind of noise standard the state should adopt, were it to create a statewide standard for noise. We asked about an absolute standard (e.g., cannot be louder than X decibels in total), a relative standard (e.g. cannot be louder than Y decibels over typical background noise), and also offered the choice of “no opinion.”

Table 3-21: Type of Noise Standard

If the state were to create a statewide noise standard, it should be (choose 1):	Manchester	Groveton	Keene	Newington	Plymouth	Ave. of 5 Workshops	All Workshops
An Absolute Standard	13%	33%	25%	4%	12%	17%	15%
A Relative Standard	74%	60%	75%	79%	83%	74%	77%
No Opinion	14%	8%	0%	17%	5%	9%	8%
Totals	100%	100%	100%	100%	100%	100%	100%
Responses	72	40	32	24	139	n/a	307

Seventy-seven (77%) percent of all respondents chose a “relative standard” were the state to enact a statewide noise standard and this option also ranked first among responses in each of the five workshops, with a high of 83% in Plymouth and a low of 60% in Groveton. Fifteen (15%) percent of all workshop participants selected an absolute standard, and 8% said they didn’t know. The following pie chart visually displays the table results.

Figure 3-17: State Noise Standard



3.4.2.3 Visual Impacts

We polled participants on options regarding visual impacts. We asked the participants to rate each option on a scale from 1 to 6, with 1 being not effective and 6 being very effective.

Table 3-22: Means across all Visual Options

Visual Impacts – Means by Options	Manchester	Groveton	Keene	Newington	Plymouth	Ave. of 5 Workshops	All Workshops
SEC Visual Review Criteria	4.4	4.7	4.6	3.5	4.9	4.4	4.6
SEC Visual Filing Requirements	4.9	4.6	4.7	3.7	4.4	4.4	4.5
Mitigation Guidance	2.9	3.3	3.1	3.4	2.8	3.1	3.0
Status Quo	2.9	2.1	2.4	3.8	1.9	2.6	2.3

Of the options polled on for addressing visual impacts, across all workshops, “SEC Review Criteria” rated the highest with a mean of 4.6. “SEC Filing Requirements” polled closely behind with a mean of 4.5, while the “Mitigation Guidance” and “Status Quo” options rated much lower at 3.0 and 2.3 respectively.

Visual Status Quo. The mean of all workshops was 2.3 for the “Status quo: SEC addresses visual impacts on case-by-case basis with no standard filing requirements or evaluation criteria”.

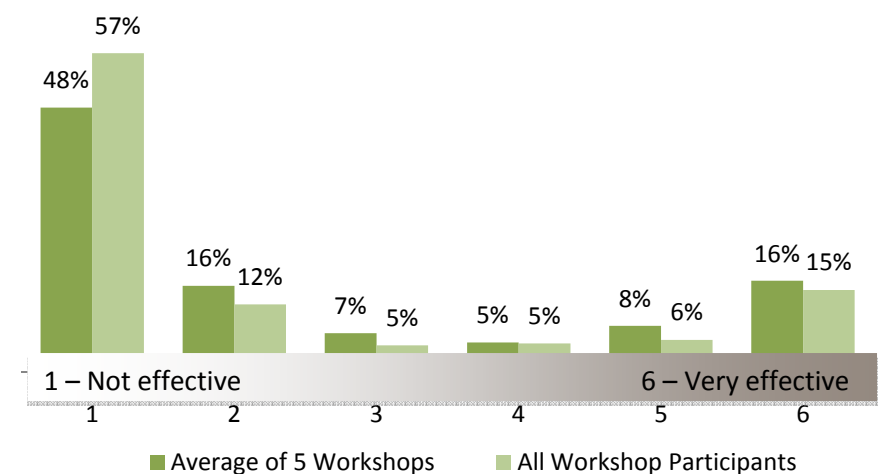
Table 3-23: Visual Status Quo

Status Quo: SEC addresses visual impacts on case by case basis with no standard filing requirements or evaluation criteria	Manchester	Groveton	Keene	Newington	Plymouth	Ave. of 5 Workshops	All Workshops
1 - Not effective	47%	63%	34%	21%	72%	48%	57%
2	10%	10%	28%	21%	9%	16%	12%
3	7%	2%	16%	8%	1%	7%	5%
4	6%	7%	9%	0%	4%	5%	5%
5	7%	7%	13%	13%	2%	8%	6%
6 - Very Effective	24%	10%	0%	38%	11%	16%	15%
Totals	100%	100%	100%	100%	100%	100%	100%
Responses	72	41	32	24	143	n/a	312
Mean	2.9	2.1	2.4	3.8	1.9	2.6	2.3

Groveton and Plymouth rated the status quo lower, with a mean respectively in each workshop of 2.1 and 1.9 while Manchester and Keene rated it somewhat higher, with a mean in each of those workshops at 2.9 and 2.4. Newington rated it the highest at 3.8.

When one views the results across each of the six possible ratings, the total number of responses rates this option low, as noted in this bar chart – 57% percent of all workshop respondents gave the status quo regarding addressing visual impacts a 1 or “not effective,” which is much higher than the next number of responses at 15% for “very effective” or 6. Respondents at four workshops gave this a 1 or “very ineffective” as their first choice – Manchester, Groveton, Keene, and Plymouth – while Newington respondents gave this a 6, or “very effective” as their first choice.

Figure 3-18: Visual Status Quo



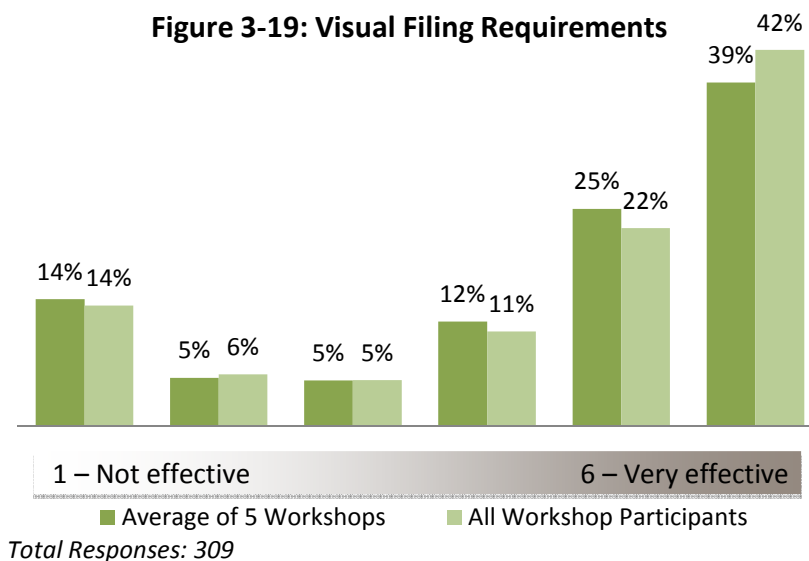
Visual SEC Filing Requirements. The mean of all workshop respondents was 4.5, for the “SEC Filing Requirements: Adopt visual impacts-specific filings requirements such as visualization studies, view shed studies, community surveys, etc.,” substantially higher than the mean for the “status quo.”

Table 3-24: Visual Filing Requirements

SEC Filing Requirements: Adopt visual impacts- filings requirements such as visualization studies, viewshed studies, community surveys, etc.	Manchester	Groveton	Keene	Newington	Plymouth	Ave. of 5 Workshops	All Workshops
1 - Not effective	8%	7%	6%	33%	16%	14%	14%
2	4%	2%	9%	4%	7%	5%	6%
3	7%	12%	3%	0%	4%	5%	5%
4	6%	15%	16%	13%	11%	12%	11%
5	22%	32%	25%	25%	19%	25%	22%
6 - Very effective	53%	32%	41%	25%	44%	39%	42%
Totals	100%	100%	100%	100%	100%	100%	100%
Responses	72	41	32	24	140	N/A	309
Mean	4.9	4.6	4.7	3.7	4.4	4.4	4.5

Manchester, Keene, and Groveton rated this option the highest at 4.9, 4.7 and 4.6 respectively. Plymouth rated this option as 4.4 on average across its participants and Newington was the lowest but still favorable at 3.7.

Figure 3-19: Visual Filing Requirements



Viewing the results across each of the six possible ratings, as this chart portrays, shows that most respondents believe that this option would be effective to very effective. 64% of respondents ranked this highly, while only 20% of respondents gave this option a 1 or a 2, for very ineffective to ineffective.

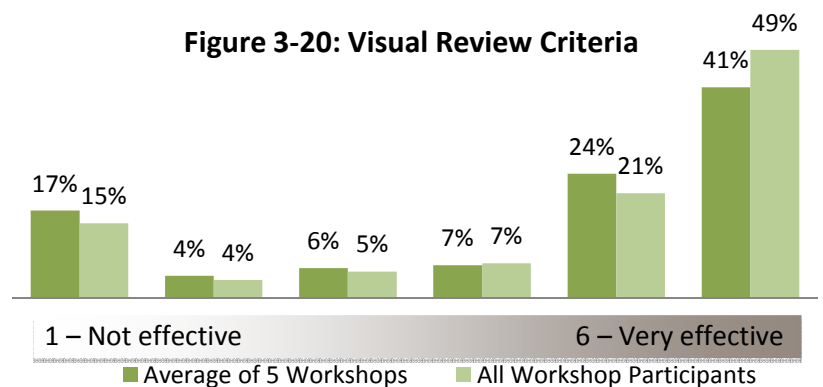
Visual SEC Review Criteria. The mean of all workshop respondents was 4.6, for the “SEC Review Criteria: Develop criteria for how visual impacts must be evaluated by the SEC,” substantially higher than for the “status quo” and similar to “SEC Filing Requirements.”

Table 3-25: Visual Review Criteria

SEC Review Criteria: Develop criteria for how visual impacts must be evaluated by SEC	Manchester	Groveton	Keene	Newington	Plymouth	Ave. of 5 Workshops	All Workshops
1 - Not effective	17%	10%	12%	35%	12%	17%	15%
2	4%	0%	6%	9%	3%	4%	4%
3	9%	10%	9%	0%	2%	6%	5%
4	10%	7%	0%	9%	7%	7%	7%
5	13%	37%	30%	26%	17%	24%	21%
6 - Very effective	47%	37%	42%	22%	59%	41%	49%
Totals	100%	100%	100%	100%	100%	100%	100%
Responses	70	41	33	23	138	n/a	305
Mean	4.4	4.7	4.6	3.5	4.9	4.4	4.6

Plymouth, Groveton, Keene, and Manchester rated this option the highest with means of 4.9, 4.7, 4.6 and 4.4 respectively. Newington rated this option the lowest at 3.5.

When one views the results across each of the six possible ratings as this chart portrays, one sees that there is a generally held view among respondents that this option would be effective to very effective. 70% of respondents gave this option a rating of 5 or 6, while only 19% of respondents gave this option a 1 or 2, or very ineffective to ineffective.



Total Responses: 305

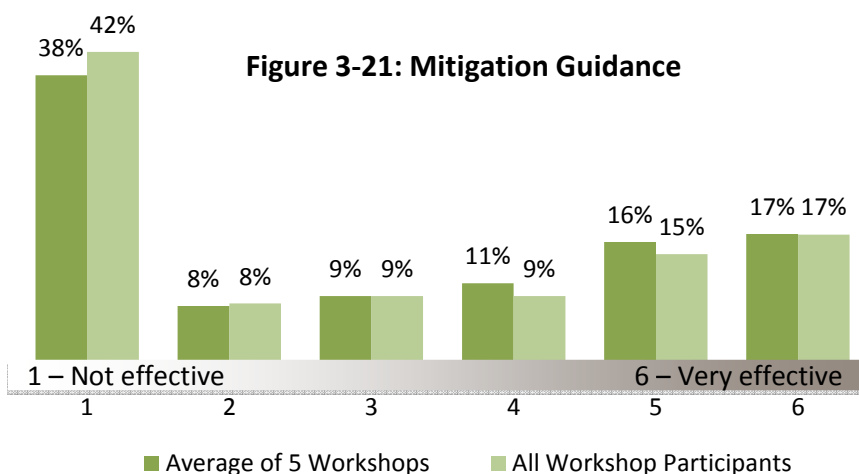
Visual Mitigation Guidance. The mean of all workshop respondents was 3.0, for the “Mitigation Guidance: SEC establishes guidance that applicants can use to mitigate potential adverse visual disruptions (i.e., color, signage, screening, setbacks),” substantially lower than “Filing Requirements” or “Review Criteria” options.

Table 3-26: Mitigation Guidance

Mitigation Guidance: SEC establishes guidance applicants can use to mitigate potential adverse visual disruptions (i.e., color, signage, screening, setbacks)	Manchester	Groveton	Keene	Newington	Plymouth	Ave. of 5 Workshops	All Workshops
1 - Not effective	46%	27%	36%	38%	46%	38%	42%
2	6%	10%	6%	8%	9%	8%	8%
3	9%	12%	12%	4%	9%	9%	9%
4	9%	24%	12%	4%	5%	11%	9%
5	14%	12%	21%	21%	13%	16%	15%
6 - Very effective	17%	15%	12%	25%	18%	17%	17%
Totals	100%	100%	100%	100%	100%	100%	100%
Responses	70	41	33	24	138	N/A	306
Mean	2.9	3.3	3.1	3.4	2.8	2.8	3.0

Newington, Groveton, and Keene rated this option the highest at 3.4, 3.3, and 3.1 respectively. Manchester and Plymouth rated this lower at 2.9 and 2.8 respectively.

While the overall mean for this option at 3.0 indicates lower support, the distribution portrayed



in this chart is somewhat bi-modal. 50% of respondents gave this option a rating of 1 or 2, indicating their belief that it would not be very effective, while 35% of respondents gave this option a 5 or 6, indicating their belief that it would be effective.

Total Responses: 306

3.4.3 Additional Comments on Noise and Visual Impacts

Participants in the workshops also provided written or verbal comments on these issues. Comments on this module predominantly focused on detailing or adding to the options polled on and noting the importance of the SEC considering context and cumulative impact. Comments heard multiple times included:

- The SEC must consider cumulative impacts to an area or region, not just the impacts of each particular project
- Potential adverse health and property value impacts should also be considered in siting decision making
- Vibration and infrasound (low frequency sound) are also part of potential noise impacts that must be considered
- Consider a relative noise standard but with an absolute cap
- Consider urban versus rural standards for both visual and noise
- Any noise standard would require a great deal more research and dialogue since this is a complex topic
- The draft wind guidelines developed in 2007 are a good starting point

Please see Appendix D for detailed summary of comments that reflect the specific points, issues, ideas, and concerns raised.

3.4.4 Summary of Noise and Visual Impacts

The following is a brief summary of all the polling results from this module.

- Three potential impacts of *most* concern ranked the highest: visual impacts, greenhouse gas/climate impacts, and air quality impacts.
- Three other impacts -- water, noise, and wildlife -- ranked lower in terms of most concern.
- When asked to rank the same impacts in terms of “least concern,” the results were more highly varied, but the three specific areas of least concern were noise impacts, and both visual impacts and greenhouse gas/climate impacts (which were other participants’ greatest concerns). “Other Impacts” polled highest as of least concern.
- Of the options polled on for addressing potential noise impacts, across all workshop respondents, “Local Preference” rated the highest at a mean of 4.1, “SEC Filing Requirements” and “Statewide Noise Standard” second at 3.7 each, and the “Status Quo” the least at 2.4.
- If a statewide noise standard is pursued, 77% of all workshop participants prefer a relative noise standard, 15% an absolute noise standard, and 8% don’t know.
- Of the options polled on for addressing potential visual impacts, across all workshop respondents, “SEC Review Criteria” rated the highest at a mean of 4.6, “SEC Filing Requirements” at 4.5, while the “Mitigation Guidance” and “Status Quo” options rated much lower with means of 3.0 and 2.3 respectively.

3.5 Topic: Alternative Routes, Sites, and Energy Policy

3.5.1 Presentation

This module included three different topics: two related topics of alternative routes (primarily for transmission lines and pipelines) and alternative sites (for generating facilities), and one separate topic, energy policy.

Alternative Routes and Sites

At the beginning of this module, the facilitators summarized the SEC's current approach to alternative routes and sites. Under the status quo:

- SEC considers any "available alternatives" submitted by the applicant. No comprehensive analysis of alternative routes and sites is required
- Applicants may (and often do) include in their filing alternatives that they considered
- Alternatives provided by applicants generally include differing configurations, but are not fully developed different sites or routes

The facilitators then summarized arguments for and against the status quo, as gleaned from reviewing public documents related to NH's siting process, conversations with a range of stakeholders including Legislators, and from the focus group discussions.

Arguments for the Status Quo include:	Arguments against the Status Quo include:
<ul style="list-style-type: none">• Applicants often have control or access to only one site or route and thus can't meaningfully consider alternative sites• Applicants usually consider and provide information on alternatives• Extensive alternatives analysis may be costly	<ul style="list-style-type: none">• Without alternatives, it is difficult to assess relative merits of the proposed site or route or determine if other alternatives are better (i.e., less expensive, less impact, better balance)

The facilitators then presented several options for participants to consider for both routes and sites. The options for routes included:

- **Status Quo:** SEC considers alternative routes if submitted, but alternative routes aren't required to be analyzed and submitted
- **Required Alternative Routes and Undergrounding Analysis:** Require analysis of alternative routes and undergrounding options as part of filing
- **Required Alternative Routes Analysis Only:** Require analysis of alternative routes as part of filing (but undergrounding analysis at applicant's discretion)
- **Required Existing Rights of Way Use:** Require use of existing transmission/pipelines corridors /developed rights-of-way as first option

The options for sites included:

- **Status Quo:** SEC reviews alternatives considered by applicant but consideration of alternatives not required
- **Alternative Site Configuration Analysis:** Require analysis of alternative configurations and placements on the proposed site
- **Alternative Site Consideration:** Require applicant to consider alternative sites and delineate the reasons why it selected the proposed site
- **Alternative Site Analysis Required:** Require applicant to consider alternative sites and require applicant to conduct a rigorous analysis of alternative sites

Energy Policy

The facilitators then summarized the SEC's current approach to energy policy. The status quo includes:

- No current finding required by the SEC that a project is consistent with state energy policy
- Also, currently there is no formal, comprehensive energy plan or strategy to tie to (although the state is in process of developing an energy strategy for NH)
- In practice, the SEC references existing state policies such as the Renewable Portfolio Standard (RPS), which requires 25% renewable energy by 2025

The facilitators then summarized arguments for and against the status quo, as gleaned from reviewing public documents related to NH's siting process, conversations with a range of stakeholders including Legislators, and from the focus group discussions.

Arguments for the Status Quo include:	Arguments against the Status Quo include:
<ul style="list-style-type: none">• Energy policies are diffuse (new laws, executive orders, regulations) and changing over time (e.g. Renewable Portfolio Standard or RPS); this creates uncertainty for applicants and SEC• Energy technologies are changing rapidly; difficult for energy policy to keep pace• Current market structure gives authority to the Regional Transmission Organization (RTO), Federal Energy Regulatory Commission (FERC), and marketplace to determine what new facilities should/can be built	<ul style="list-style-type: none">• State energy strategy could help resolve the tension between state policies and priorities, and the role of the state in helping to meet larger regional energy needs• State energy strategy and policies set goals for the state, and applicants should demonstrate how the projected project is consistent with those goals

The facilitators then presented several options for participants to consider for both routes and sites. The options for routes included:

- **Status Quo:** no formal requirement for SEC finding that a proposed energy facility is consistent with state energy policies or state energy strategy
- **Consistency with State Energy Policies:** require SEC to find that a proposed energy facility is consistent with current and future state energy policies (e.g. RPS requiring 25% renewables by 2025)
- **Consistency with State Energy Strategy:** require SEC to find that a proposed energy facility is consistent with a formal, state energy strategy

Discussion Questions

Lastly, we offered the workshop participants several questions for consideration in break out groups:

- Given that energy facility applicants usually only have site control of their proposed site or route, should alternative site/route analysis be required, and if so what should it include?
- Given that New Hampshire has restructured its electricity market and no longer requires utility least cost plans, should the SEC take into account state energy policies/strategy when reviewing and approving a proposed energy facility, and if so in what way?
- Which of the options (on previous page) do you prefer and why, for:
 - Alternative routes
 - Alternative sites
 - Energy policy

3.5.2 Polling

3.5.2.1 Options for Alternative Routes

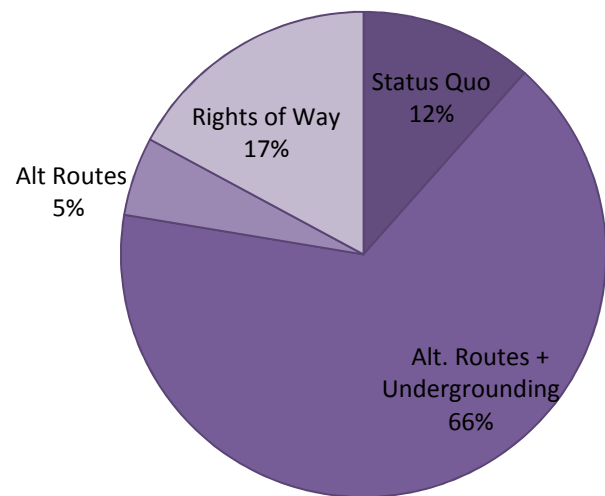
The following table, chart, and narrative summarize polling results regarding options for alternative routes.

Table 3-27: Alternative Routes

Choose your top choice from the following (choose one):	Manchester	Groveton	Keene	Newington	Plymouth	Ave. of 5 Workshops	All Workshops
Status Quo	14%	11%	0%	43%	8%	15%	12%
Required Alternative Routes and Undergrounding Analysis	59%	79%	61%	33%	73%	61%	66%
Required Alternative Routes Analysis Only	7%	3%	13%	10%	2%	7%	5%
Required Existing Rights of Way Use	20%	8%	26%	14%	17%	17%	17%
Totals	100%	100%	100%	100%	100%	100%	100%
Responses	70	38	31	21	126	N/A	286

Participants were asked to pick their top choice for how potentially to address alternative routes in SEC proceedings. 66% of all participants selected “require alternative routes and undergrounding” as their preferred option. 17% percent of respondents selected “require use of existing transmission/pipelines corridors,” 12% of all participants selected the status quo, and 5% of respondents selected “require analysis of alternative routes as part of filing (but undergrounding analysis at applicant’s discretion).”

Figure 3-22: Alternative Routes



Total Responses: 286

However, there was a significant difference in responses between Newington and all of the other sites. 43% of Newington participants selected the status quo as their preferred approach, while 15% or less of participants in each of all the other workshops selected the status quo as their preferred approach. Regarding the alternative routes and undergrounding option, 59% to 79% of participants in all of the workshops except Newington selected this option as their preferred alternative while 33% of Newington participants chose this as their first choice.

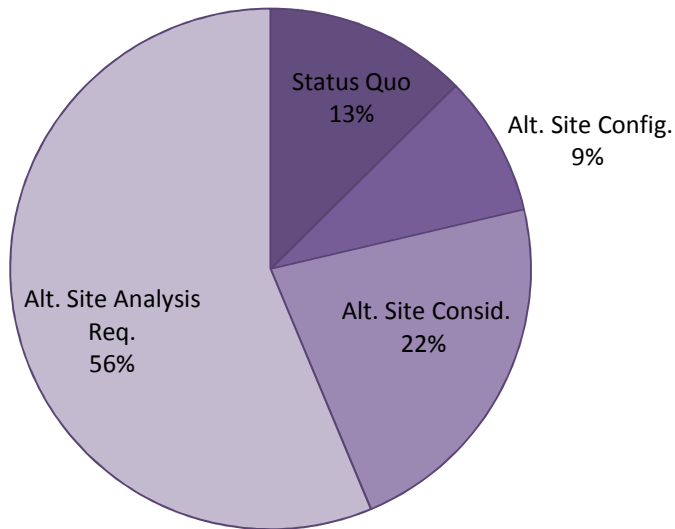
3.5.2.2 Options for Alternative Sites

The following table, chart, and narrative summarize polling results regarding options for alternative sites.

Table 3-28: Alternative Sites

Choose your top choice from the following (choose one):	Manchester	Groveton	Keene	Newington	Plymouth	Ave. of 5 Workshops	All Workshop Participants
Status Quo	17%	16%	0%	48%	6%	17%	13%
Alternative Site Configuration	9%	5%	0%	14%	11%	8%	9%
Analysis Alternative Site Consideration	27%	24%	32%	5%	20%	22%	22%
Alternative Site Analysis Required	47%	55%	68%	33%	63%	53%	56%
Totals	100%	100%	100%	100%	100%	100%	100%
Responses	70	38	31	21	126	N/A	286

Figure 3-23: Alternative Sites



Total Responses: 286

The participants were also asked to pick their top choice among several for how to address alternative sites in SEC proceedings. 56% of all participants selected “require alternative site analysis” as their preferred option. 22% of participants selected “require applicant to consider alternative sites and delineate the reasons why it selected the proposed site.” Thirteen (13%) percent selected the status quo, “SEC considers any alternative submitted, but alternatives are not required”, and 9% selected “require analysis of alternative configurations and placements on the proposed site.”

However, there was a significant difference in responses between

Newington and all the other workshop sites. 48% of Newington participants selected the status quo as their preferred approach, while 17% or less of participants in each of all the other workshops selected the status quo as their preferred approach. The option “requiring alternative site analysis” polled highest among each workshop except for Newington, with a range of 47% to 68%). This option received the second highest of responses from Newington, with 33% participants choosing this as their first choice.

3.5.2.3 Energy Policy

The following table, chart, and narrative summarize polling results regarding options for energy policy.

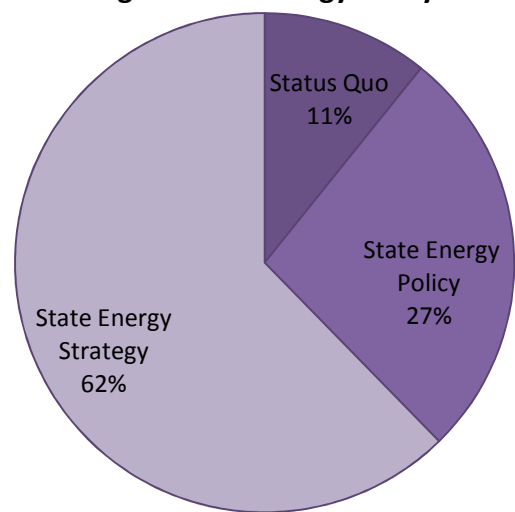
Table 3-29: Energy Policy

Choose your top choice from the following (choose one):	Manchester	Groveton	Keene	Newington	Plymouth	Ave. of 5 Workshops	All Workshops
Status Quo	13%	8%	13%	43%	4%	16%	11%
Consistency with State Energy Policies	30%	32%	26%	24%	24%	27%	27%
Consistency with State Energy Strategy	58%	59%	61%	33%	72%	57%	62%
Totals	100%	100%	100%	100%	100%	100%	100%
Responses	71	37	31	21	120	N/A	280

Participants were also asked to pick their top choice among three options for how the SEC does or might link energy facility siting with state energy policy. 62% of all participants preferred “require the SEC to find that a proposed energy facility is consistent with a formal, state energy strategy” as their preferred option. Consistency with existing state energy policies was the selection preferred by 27% of all workshop participants, and 11% of all participants selected the status quo, “no formal finding required that an application is consistent with state energy policy or a statewide energy strategy.”

Again there was a significant difference in responses between Newington and the other sites. 43% of Newington participants selected the status quo as their preferred approach, while 16% or less of participants in each of all other workshops selected the status quo as their preferred approach. In contrast, 57% to 72% of participants in the other workshops selected the SEC having to make a finding that an application is consistent with a formal state energy strategy as their preferred alternative, while 33% of Newington participants chose this as their first choice.

Figure 3-24: Energy Policy



Total Responses: 280

3.5.3 Additional Comments on Alternative Routes, Sites, and Energy Policy

Participants in the workshops also provided written or verbal comments on these issues. Comments on this module generally centered on providing greater detail on alternatives analysis. Comments heard multiple times included:

- Require all three ideas within the [alternative routes] options polled: alternative routes analysis, undergrounding, and using existing rights of way
- Require a NEPA-like alternatives analysis for routes and sites
- Provide an independent analysis of site and route-related applications

Comments on this module focused primarily on the lack of a need determination in the siting process, and the potential lack of local benefit for new energy projects. Comments heard multiple times included:

- Put determination of need back into the SEC process, particularly the need for New Hampshire, versus the needs or desire of the region
- Projects that are needed for reliability should have a different process than those projects that are economic-based projects. Specifically, economic-based projects should either be decided locally or local government/citizens should have greater input and decision making authority
- The SEC should be required to find that a project is consistent with a formal NH energy strategy or plan
- Until NH has a formal energy plan or strategy (or a formal need determination process), there should be a moratorium on new applications

Please see Appendix D for detailed summary of comments that reflect the specific points, issues, ideas, and concerns raised.

3.5.4 Summary of Alternative Routes, Sites, and Energy Policy

The following is a brief summary of all the polling results from this module.

- Alternative Routes: “Require analysis of alternative routes and undergrounding options as part of filing” polled the highest on this topic across all workshop participants at 66%.
- Alternative Sites: “Require alternative site analysis” polled the highest on this topic with 56% of all participants selecting this option.
- Energy Policy: “Require the SEC to find that a proposed energy facility is consistent with a formal, state energy strategy” polled the highest on this topic at 63% of all participants.
- There was a significant difference in responses between Newington and the other sites, with Newington respondents preferring the status quo over other options for each of the three topics.

3.6 Evaluation: NH Citizen Workshops

At the conclusion of each of the five regional workshops, participants rated how effective they found various aspects of the workshop, from 1 (not effective) to 6 (very effective). Workshop participants, in total, assigned high value to all aspects of the workshop.²⁰ They assigned the greatest relative value to the keypad polling (mean 5.1), followed closely by the small group discussions (mean 5.0). Participants assigned modestly lower but still high value to the short presentations (mean 4.7) and the workshop as a whole at 4.6.

Workshop Element	Manchester	Groveton	Keene	Newington	Plymouth	Average of 5 Workshops	All Workshop Participants
Presentations	4.8	4.8	4.6	4.6	4.8	4.7	4.7
Small Group Discussions	5.2	4.9	4.9	4.6	5.1	4.9	5.0
Keypad Polling	5.3	5.2	4.6	4.6	5.2	5.0	5.1
Workshop Overall	4.8	4.7	4.2	4.2	4.7	4.5	4.6

The evaluation at each of the five workshops was very similar. The most common rating for both keypad polling and small group discussion was a 6 (very effective) across all workshops, and the means ranged from 4.6 to 5.2 for keypad polling and small group discussion. The most common rating was also a 6 (very effective) for the short presentations at all five workshops but the range of means was a bit lower, ranging from 4.6 to 4.8. For the workshop overall, the most common rating was a 5 in five of the workshops, with the most common rating in Manchester being a 6, and the means ranged from 4.2 to 4.8. (See the tables in Appendix C for all evaluation data from the five workshops.)

Figure 3-25: Presentations

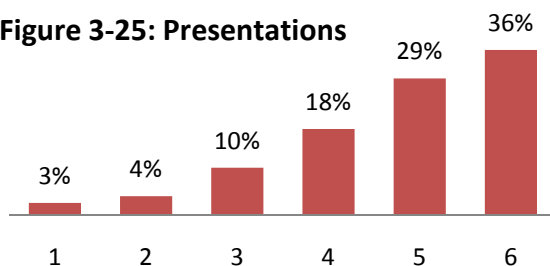


Figure 3-26: Small Group

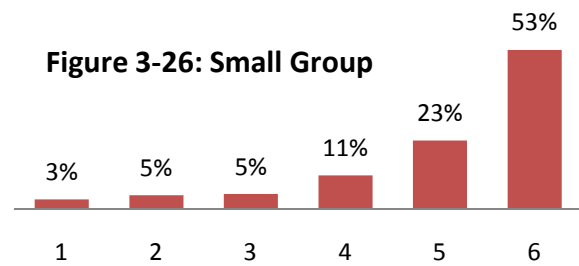


Figure 3-27: Keypad Polling

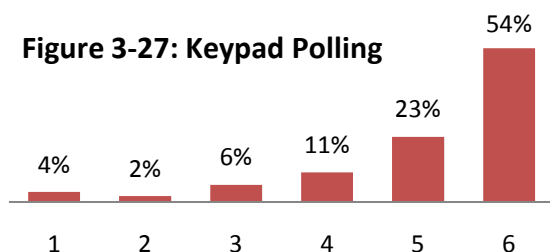
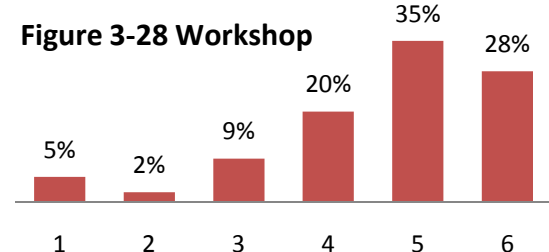


Figure 3-28 Workshop



²⁰ On a 1 to 6 scale, the mid-point is 3.5. We consider anything below 2.5 to be a “low” rating, from 2.5-4.5 a “medium” rating, and above 4.5 to be a “high” rating.

Chapter 4: Comparative Summary of Focus Group and Citizen Workshop Results

This Chapter will show side-by-side comparisons of the polling results from the seven Focus Groups conducted in November and the five Citizen Workshops conducted in December. The polling results cover a wide range of topics related to SEC Structure, Membership, and Processes as well as SEC Decision-making Criteria. The narrative information and data tables/charts in this chapter are excerpted from Chapter 2 (Focus Groups) and Chapter 3 (Focus Groups). Those chapters each contain greater detail and analysis on each topic. Readers are encouraged to read those chapters for a more in-depth understanding of the stakeholder and citizen feedback garnered from the Focus Groups and Citizen Workshops.

The intent of this chapter is to provide a summary of the responses to various options under each topic (including the status quo) within each Focus Group and across all Focus Group participants; within each Citizen Workshop and across all Citizen Workshop participants; and lastly, between the Focus Groups and the Citizen Workshops.

Responses within and across the Focus Groups are easily comparable as the questions asked of and the options presented to all Focus Group participants were identical. The responses within and across the Citizen Workshops are also easily comparable as the questions asked of and the options presented to all Citizen Workshop participants were the same. However, the comparisons between the Focus Groups and Citizen Workshops are not always as easily comparable due to several factors:

- We did not cover every topic with the Citizen Workshops that we covered with the Focus Groups because the Focus Group process provided the consulting team valuable information on where and how to focus the key issues for the Citizen Workshops
- Questions asked and options offered at the Focus Groups and Citizen Workshops were not always identical
- We used a range of different polling methods that were tailored to the question and the venue but were not identical including: first choice, acceptable choice, ranking 1-6, selecting two – three top or bottom choices, etc.

However, similarities and differences can be identified when carefully comparing the text and the data tables that follow. Because the consulting team's task was not to develop nor make specific recommendations, the following comparisons should provide a useful tool for New Hampshire citizens, stakeholders in the SEC process, and New Hampshire Legislators to draw their own conclusions.

4.1 SEC Structure, Membership, and Processes

4.1.1 SEC Agency Membership/Size

Focus Groups

A majority in two focus groups (Transmission/Pipelines and State Agencies²¹) and 21% of all the focus group participants find acceptable the status quo of 15 high-level state officials from eight agencies as members. A majority of six of seven focus groups support reducing the SEC—with a majority in 5 focus groups supported reducing it from eight agencies to two or three agencies. A majority of 3 different focus groupings could also support reducing membership from 15 to 8 (one from each agency) or transferring responsibility to one agency (e.g., PUC)

Citizen Workshops

22% of the Citizen Workshop participants preferred the status quo, while 46% preferred a smaller SEC (23% preferring eight members, 20% preferring three to five agencies, and 3% preferring a single agency).

4.1.2 SEC Public Membership

Focus Groups

Supplementing agency membership on the SEC with non-agency members was supported (i.e., found acceptable) by a majority in three of the focus groups (Environmental/Natural Resources, Business/Industry/Labor and Citizen Groups/Local Government) and by 50% of all focus group participants.

Citizen Workshops

Only 12% of participants from all five workshops preferred the current status quo of no non-agency members. A preference for some form of public SEC membership polled at 76% when the three different options with public membership were totaled. Of those three, “at least two public members: one local and one statewide” polled highest at 43%.

4.1.3 Independent Commission

Focus Groups

A majority in three focus groups (Environmental/Natural Resources, Citizen Groups/Local Government, State Agencies), and 38% of all focus group participants supported a free-standing council or an Independent Commissions defined as a separate, appointed Commission having no Agency representation.

²¹ Focus Group abbreviations used in the tables are as follows: Enviro/NR (Environment/Natural Resources); Biz/Labor (Business/Industry/Labor); Trans/Pipe (Transmission/ Pipelines); Gen (Generation {non-wind}); Wind (Wind Developers); Local (Citizen Groups/Local Government); State (State Agencies).

Citizen Workshops

32% of workshop participants preferred an Independent Commission to the status quo or a smaller commission. When asked their preference regarding public membership on the SEC, 12% preferred an Independent Commission while 76% preferred some form of public membership on the SEC and 12% preferred the status quo.

Table 4-1: Focus Groups - SEC Membership and Delegation

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	SEC includes 15 high-level state officials from 8 agencies. Some members may designate a deputy or other high level official in their agency to sit in their place but not all can delegate.	0%	0%	67%	43%	14%	7%	60%	27%	21%
OPTION 2	Change Membership from 15 to 8 (only one Member from each agency)	33%	100%	50%	86%	29%	40%	20%	51%	48%
OPTION 3	Change Membership from 8 Agencies to 2-3 agencies (PUC, DES, Other?) responsible for running the proceedings and deciding	75%	67%	50%	71%	100%	27%	20%	59%	57%
OPTION 4	Transfer responsibility to one Agency (e.g., PUC) responsible for running the proceedings and deciding	42%	100%	33%	29%	86%	33%	60%	55%	50%
OPTION 5	Create free-standing council or commission separate from and not including existing state agencies	58%	33%	0%	14%	0%	60%	60%	32%	38%
OPTION 6	Supplement Agency Members with non-Agency Members (i.e., regional representation and/or public members)	58%	67%	17%	14%	43%	80%	20%	43%	50%

Table 4-2: Citizen Workshops - SEC Agency Representation

My preference among the following more detailed options in terms of Agency representation on SEC is (choose one):	Manchester	Groveton	Keene	Newington	Plymouth	Average of 5 Workshops	All Workshop Participants
Status Quo	33%	29%	17%	38%	10%	26%	22%
8 Members	23%	24%	41%	19%	20%	25%	23%
3-5 Members	19%	21%	24%	29%	19%	22%	20%
One Agency	4%	3%	0%	10%	3%	4%	3%
Independent Commission	21%	24%	17%	5%	49%	23%	32%
Total	100%	100%	100%	100%	100%	100%	100%
Responses	70	34	29	21	117	N/A	271

Table 4-3: Citizen Workshops - SEC Public Membership

Regarding public membership on SEC, my preference is (choose one):	Manchester	Groveton	Keene	Newington	Plymouth	Average of 5 Workshops	All Workshop Participants
Status Quo	21%	3%	10%	48%	4%	17%	12%
Statewide Representation	4%	0%	3%	0%	4%	2%	3%
Local Representation	24%	35%	34%	10%	35%	28%	30%
Statewide & Local Representation	41%	53%	45%	43%	40%	44%	43%
Independent Commission	9%	9%	7%	0%	17%	8%	12%
Totals	100%	100%	100%	100%	100%	100%	100%
Responses	70	34	29	21	123	N/A	277

4.1.4 Use of Subcommittees

Focus Groups

A majority in five focus groups (Business/Industry/Labor, Transmission/Pipelines, Generation (non-wind), Citizen Groups/Local Government, and State Agencies) and 63% of all focus group participants supported requiring the SEC to designate subcommittees for all applicant cases as an acceptable change to the current process.

Citizen Workshops

22% of workshop participants preferred requiring subcommittees over the status quo for all cases rather than a smaller SEC or an Independent Commission.

4.1.5 Use of Hearing Officers

Focus Groups

A majority of four focus groups (Environmental/Natural Resources, Transmission/Pipelines, Wind Developers, and Citizen Groups/Local Government) and 60% of all focus group participants support having a hearing officer develop an evidentiary record without making recommendations.

Citizen Workshops

57% of citizen workshop participants preferred the status quo (no hearing officer; direct interaction). Using a Hearing Officer *only for hearings* polled at 17% of all participants and using a hearing officer to also *offer recommendations* polled at 23%.

4.1.6 Intervenor Standards

Focus Groups

A majority of five (Environmental/Natural Resources, Transmission/Pipelines, Generation (non-wind), Wind Developers, Citizen Groups/Local Government) of six focus groups polled on this topic and over 80% of all focus group participants find acceptable the option to clarify intervenor standards and procedures.

Citizen Workshops

This topic was not discussed or polled in the citizen workshops.

Table 4-4: Focus Groups – Conduct of Proceedings

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	The SEC Members often all sit to hear a full case. For energy facility applications, the chairperson may designate a subcommittee of no fewer than seven members to consider the application. But for renewable applications, the chairman shall designate a subcommittee, which has full authority to make decisions and issue certificates	20%	71%	67%	71%	29%	40%	0%	43%	42%
OPTION 2	Require SEC Chair to designate Members to subcommittees to represent SEC for all projects (not just for renewable projects)	30%	71%	100%	86%	0%	90%	80%	65%	63%
OPTION 3	Have hearing officer develop evidentiary record and develop issues memo without making recommendations to SEC Members	100%	43%	50%	43%	57%	60%	40%	56%	60%
OPTION 4	Have administrative law judges hear cases, and make recommendations to SEC Members for final decisionmaking	80%	14%	17%	29%	57%	40%	40%	40%	42%
OPTION 5	Clarify intervenor standards and procedures	83%	NR	100%	100%	100%	90%	20%	82%	81%

Table 4-5: Citizen Workshops – SEC Agency Representation

Regarding State Agency representation on the SEC, should the SEC (choose one):	Manchester	Groveton	Keene	Newington	Plymouth	Average of 5 Workshops	All Workshop Participants
Status Quo	30%	18%	0%	33%	3%	17%	14%
Require Subcommittees	14%	18%	61%	19%	19%	26%	22%
Smaller SEC	36%	42%	13%	38%	32%	32%	33%
Independent Commission	20%	21%	26%	10%	45%	24%	31%
Total	100%	100%	100%	100%	100%	100%	100%
Responses	70	33	31	21	117	N/A	272

Table 4-6: Citizen Workshops – Hearing Officer

Regarding the use of a hearing officer (HO), my preference is (choose one):	Manchester	Groveton	Keene	Newington	Plymouth	Average of 5 Workshops	All Workshop Participants
Status Quo	59%	65%	69%	86%	46%	65%	57%
HO Hears w/o Recommendations	17%	24%	10%	10%	19%	16%	17%
HO Hears with Recommendations	24%	12%	17%	5%	29%	17%	23%
HO Hears/Decides	0%	0%	3%	0%	6%	2%	3%
Totals	100%	100%	100%	100%	100%	100%	100%
Responses	70	34	29	21	117	N/A	271

4.1.7 SEC Staffing

Focus Groups

A majority in all seven focus groups and 82% of all focus group participants support hiring permanent and dedicated staff to support the SEC in administrative tasks. A majority of five focus groups (Environmental/Natural Resources, Business/Industry/Labor/Labor, Generation (non-wind), Citizen Groups/Local Government, State Agencies) and 71% of all focus group participants support hiring dedicated staff that provides substantive assistance (potentially including recommendations).

Citizen Workshops

Staffing was not formally discussed or polled; however, many participants offered support for the SEC having adequate staffing in their comments.

Table 4-7: Focus Groups – SEC Staffing

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	No dedicated staff to assist the SEC; Legal Counsel, DES administrative assistant, and stenographer costs are reimbursed by the applicant, hired/funded on a ad hoc, case by case basis	0%	14%	100%	57%	33%	7%	0%	30%	23%
OPTION 2	Hire dedicated, permanent staff to support/administer SEC (counsel, clerk)	83%	86%	60%	86%	83%	93%	60%	79%	82%
OPTION 3	Hire dedicated, permanent staff to support and provide substantive assistance to the SEC (potentially including recommendations)	100%	71%	40%	71%	33%	64%	100%	69%	71%
OPTION 4	Hire dedicated, permanent staff to monitor and enforce permits and conditions	83%	0%	20%	0%	17%	79%	40%	34%	45%

4.1.8 SEC Funding

Focus Groups

Eighty-six percent (86%) of all focus group participants and over 70% in six of seven focus groups (all but State Agencies) find acceptable instituting a standardized application fee to cover some of all of SEC-related costs. Additionally, 70% of all focus group participants and over two-thirds in six of seven focus groups (all but State Agencies) find acceptable state appropriation cover some or all of the SEC costs.

Citizen Workshops

Funding was not formally discussed or polled; however, many participants offered support for the SEC having adequate funding in their comments.

Table 4-8: Focus Groups - Source/Level of Funding

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	The SEC has no dedicated budget; applicants pay for studies and counsel and experts for NH; and each Agency covers its own SEC member and staff time	25%	0%	100%	86%	57%	21%	0%	41%	37%
OPTION 2	Expand current applicant invoicing to cover SEC Member agency staff and Counsel for the Public time not currently reimbursed	83%	29%	20%	14%	0%	57%	100%	43%	47%
OPTION 3	Levy a standardized application fee (tailored to type and size of facility) to cover some or all SEC costs	100%	100%	80%	71%	71%	100%	40%	80%	86%
OPTION 4	Charge operating energy facilities an assessment fee to cover some or all SEC costs	33%	29%	40%	0%	14%	43%	60%	31%	32%
OPTION 5	State appropriation to cover some or all SEC costs	67%	71%	80%	100%	71%	79%	0%	67%	70%

4.1.9 Covered Facilities and Opt-ins

Focus Groups

A majority in six of the seven focus groups (all but State Agencies) and 64% of all focus group participants support the status quo as an acceptable option. A majority in six of seven focus groups (all but Transmission/Pipelines) and 73% of all focus group participants support developing clearer, consistent criteria for the SEC to accept opt-ins.

Citizen Workshops

This was not directly discussed or polled (but see energy policy and need section).

Table 4-9: Focus Groups - Covered Facilities and Opt-ins

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	Generation >30 MW (Renewables between 5 - 30 MW SEC - review on own motion), >10 miles of pipeline, >100kV transmission lines; storage and loading facilities; SEC may grant exemptions if finds that existing permits adequately cover possible impacts. Non-Covered Facilities can opt in by petition of 1) applicant; 2) local govt +/-or registered voter petition; or 3) SEC on its own motion; if SEC accepts the request, the final decision preempts the local jurisdiction.	73%	57%	100%	71%	86%	54%	0%	63%	64%
OPTION 2	Increase one or more of the thresholds to reduce number of cases requiring SEC review (e.g., 100 MW in MA)	18%	0%	67%	43%	29%	31%	80%	38%	34%
OPTION 3	Do not allow for opt-ins	0%	0%	0%	0%	14%	54%	80%	21%	21%
OPTION 4	Do not allow for opt-ins but reduce size thresholds for Covered Facilities (some states renewables reviewed for greater than 1 MW)	64%	29%	0%	0%	14%	8%	20%	19%	21%
OPTION 5	Develop clearer, consistent criteria for SEC to accept opt Ins	91%	86%	0%	100%	71%	69%	80%	71%	73%

4.1.10 Participation in SEC Proceedings

Focus Groups

The focus groups were not asked if and how they participated with the SEC.

Citizen Workshops

52% percent of the citizen workshop participants had not participated directly in a SEC processing, be that a county informational meeting sponsored by the SEC or a formal SEC Hearing. 48% percent had participated in one or more SEC proceedings as an interested citizen, formal intervenor, and/or on the behalf of an applicant.

Table 4-10: Citizen Workshops – Participation in SEC

Indicate below whether you have attended any of the following (choose as many as apply to you):	Manchester	Groveton	Keene	Newington	Plymouth	Average of 5 Workshops	All Workshop Participants
SEC informational meeting in county where a facility is proposed	18%	30%	11%	7%	25%	18%	21%
SEC adjudicatory proceeding as an intervenor	3%	7%	23%	4%	4%	8%	6%
SEC adjudicatory proceeding as an applicant or on behalf of an applicant	1%	7%	5%	4%	5%	4%	4%
SEC adjudicatory proceeding as an observer	15%	16%	16%	19%	18%	17%	17%
None of the above	64%	41%	45%	67%	49%	53%	52%
Total	100%	100%	100%	100%	100%	100%	100%
Responses	80	61	44	27	177	N/A	389

4.1.11 SEC Public Engagement Effectiveness

Focus Groups

The focus groups were not asked about SEC effectiveness in engaging and considering public input.

Citizen Workshops

67% of workshop participants concluded that the current SEC process ranged from very ineffective to somewhat ineffective in soliciting meaningful public input (1 to 3). 30% found it somewhat to very effective (4 to 6). 18% polled that they did not know.

57% of workshop participants concluded that the current SEC process is very ineffective to somewhat ineffective (1 to 3) in considering and weighing public input into its decision-making process. 21% found it somewhat to very effective (4 to 6), and 23% did not know.

Table 4-11: Citizen Workshops – Public Engagement Effectiveness

How effective is current SEC process in soliciting meaningful public input in review of an application?	Manchester	Groveton	Keene	Newington	Plymouth	Average of 5 Workshops	All Workshop Participants
1 - Very Ineffective	48%	40%	12%	8%	47%	31%	40%
2	6%	19%	21%	17%	23%	17%	18%
3	11%	10%	18%	13%	4%	11%	9%
4	5%	2%	3%	4%	4%	4%	4%
5	5%	7%	6%	8%	4%	6%	5%
6 - Very effective	5%	7%	3%	21%	6%	8%	7%
7 - I don't know	21%	14%	36%	29%	11%	22%	18%
Total	100%	100%	100%	100%	100%	100%	100%
Responses	66	42	33	24	140	N/A	305
Mean	2.0	2.3	2.7	3.7	2.0	2.5	2.2

Table 4-12: Citizen Workshops: Public Input in Decision-making

How well does SEC currently do in considering and weighing public input into its decision-making process?	Manchester	Groveton	Keene	Newington	Plymouth	Average of 5 Workshops	All Workshop Participants
1 - Very ineffective	36%	37%	3%	9%	45%	26%	35%
2	10%	15%	22%	13%	15%	15%	14%
3	3%	12%	16%	9%	8%	9%	8%
4	10%	7%	13%	9%	4%	8%	7%
5	10%	2%	0%	9%	1%	4%	4%
6 - Very effective	11%	12%	6%	22%	7%	12%	10%
7 - I don't know	22%	15%	41%	30%	20%	26%	23%
Total	100%	100%	100%	100%	100%	100%	100%
Responses	73	41	32	23	142	N/A	311
Mean	2.8	2.5	3.1	3.9	2.0	2.9	2.5

4.1.12 Public Engagement Options

Focus Groups

The status quo was the only option that received the majority support from four or more of the seven focus groups (Business/Industry/Labor, Transmission/Pipelines, Generation (non-wind), and Wind Developers). It was also supported by 55% of all focus group participants. A more “meaningful” pre-application process was the only other option that was supported by over 50% of focus group participants (but it was only a majority in two focus groups (Environmental/Natural Resources and Generation (non-wind))).

Citizen Workshops

Only 6% of the responses included the status quo as one of the three top choices in all workshops. The three top choice options were:

- “Requiring a meaningful pre-application process” with 21% of all responses (polled the highest in all five workshops).
- “Requiring at least two public meetings (one by the applicant prior to filing and another by the SEC after filing)” with 19% of all responses.
- Public membership on the SEC with 15% of all responses.

Table 4-13: Focus Groups – Public Engagement

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Avg. of 7 Focus Grps. (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	Minimum of one informational session in county where proposed facility located; public input is through in-person and in-writing comment during meetings or adjudicatory hearings and can file as a formal intervenor	42%	86%	100%	71%	71%	22%	40%	62%	55%
OPTION 2	Adopt a "meaningful" pre-application process that engages the affected communities (e.g., New York)	100%	43%	0%	100%	43%	43%	40%	53%	57%
OPTION 3	Require at least two community meetings, one with the developer during the pre-filing phase and another with SEC representatives post-filing (e.g., Maine)	58%	43%	0%	43%	57%	36%	60%	42%	43%
OPTION 4	Applicants provide intervenor funding for participating in adjudicatory proceedings (e.g., New York)	75%	14%	0%	0%	14%	94%	40%	34%	45%
OPTION 5	Add statutory requirement that applicant has duly considered local, regional, and public comment	42%	29%	0%	43%	29%	86%	40%	38%	45%
OPTION 6	Create an SEC position for public engagement coordination (e.g., New York)	42%	14%	0%	43%	71%	36%	80%	41%	40%

Table 4-14: Citizen Workshops – Public Engagement

Of the following potential changes or supplements to the current SEC related public engagement process, which three options would do the MOST to improve public engagement (choose bottom THREE):	Manchester	Groveton	Keene	Newington	Plymouth	Average of 5 Workshops	All Workshop Participants
Status quo	6%	7%	1%	16%	5%	7%	6%
Pre-Application Process	19%	24%	22%	26%	20%	22%	21%
Required Meetings	17%	20%	18%	19%	19%	19%	19%
Intervenor Funding	13%	8%	18%	14%	13%	13%	13%
Public Engagement Coordinator	16%	8%	18%	14%	13%	14%	13%
SEC Membership	13%	23%	9%	5%	17%	13%	15%
Counsel for the Public	15%	10%	11%	7%	13%	11%	13%
Total	100%	100%	100%	100%	100%	100%	100%
Responses	201	122	89	58	392	N/A	862

4.1.13 Role of the Counsel for the Public

Focus Groups

The majority in all focus groups and 81% of all focus group participants supported developing clear principles or criteria to clarify the role of the Counsel for the Public. Providing additional resources to Counsel for the Public for adequate participation in the SEC process was supported by 53% of all workshop participants, but only a majority in three focus groups (Environmental/Natural Resources, Business/Industry/Labor, and Citizen Groups/Local Government). Eliminating the Counsel for the Public and establishing a public engagement coordinator received a majority in four focus groups (Transmission/Pipelines, Generation (non-wind), Wind Developers, and State Agencies) as an acceptable alternative (although this option was only supported by 35% of all focus group participants).

Citizen Workshops

Strengthening the role of the Counsel for the Public was not one of the three top public engagement improvements supported by citizens, but it was tied with “intervenor funding” and “creating a public engagement position” at the SEC. (See Table 4-14.)

Table 4-15: Focus Groups - Counsel for the Public

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Avg. of 7 Focus Grps (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	The Counsel represents the public to ensure a balance between protecting the quality of the environment and maintaining an adequate supply of energy. The Counsel has full intervenor status. The Counsel is housed in the Attorney General's office.	33%	57%	50%	57%	14%	20%	20%	36%	34%
OPTION 2	Develop clear principles or criteria to clarify the role	67%	100%	100%	100%	57%	80%	80%	83%	81%
OPTION 3	Broaden the role to allow consideration of more than need and Enviro/NR impact	67%	43%	17%	29%	0%	53%	20%	33%	39%
OPTION 4	Provide additional resources for adequate participation	92%	57%	17%	43%	0%	73%	20%	43%	53%
OPTION 5	Create a separate, and independent office for the Public Counsel	33%	0%	0%	0%	71%	27%	40%	24%	25%
OPTION 6	Eliminate the Public Counsel and establish a public engagement coordinator	33%	NR	67%	100%	57%	0%	80%	56%	35%

4.2 SEC Decision-making Criteria

4.2.1 Required Findings

Focus Groups

A majority in five of the seven focus groups (Business/Industry/Labor, Generation (non-wind), Wind Developers, Citizen Groups/Local Government, and State Agencies) and 72% of all the focus group participants support defining and detailing the existing three findings more clearly. Creating additional and more specific criteria for all energy facilities and additional and more specific criteria for certain facilities received majority support from four focus groups (Environmental/Natural Resources, Business/Industry/Labor, Citizen Groups/Local Government, and State Agencies) and 62% of all focus group participants.

Citizen Workshops

The facilitators presented three findings as background but did not poll directly on this topic.

Table 4-16: Focus Groups – Required Findings

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Avg. of 7 Focus Grps. (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	Three findings outlined in legislation guide decision-making (see current findings above); No specific detailed criteria.	0%	57%	83%	100%	57%	7%	20%	46%	38%
OPTION 2	Define and detail existing 3 findings more clearly	42%	86%	33%	71%	100%	86%	100%	74%	72%
OPTION 3	Create more specific criteria that applies to all energy facilities	92%	43%	17%	0%	29%	71%	40%	42%	50%
OPTION 4	Create more specific criteria for each type of facility	75%	29%	17%	0%	14%	64%	40%	34%	41%
OPTION 5	Create additional and more specific criteria for all facilities and additional and more specific criteria for certain types of Facilities	100%	57%	17%	29%	14%	93%	60%	53%	62%

4.2.2 State Energy Policy

Focus Groups

The status quo was an acceptable choice with a majority of five of the seven focus groups (Business/Industry/Labor, Transmission/Pipelines, Generation (non-wind), Wind Developers, and State Agencies) and 46% of all focus group participants. “Requiring a finding that the project is aligned with state energy policy” received 51% support of all focus group participants, but a majority in only two focus groups (Environmental/Natural Resources, Citizen Groups/Local Government).

Citizen Workshops

62% of all participants preferred “requiring the SEC to find that a proposed energy facility is consistent with a formal, state energy strategy.” Consistency with existing state energy policies was the selection preferred by 27% of all workshop participants, while 11% preferred the status quo. Many participants who commented about this topic stated that projects should be consistent with a formal state energy strategy or plan—and some advocated for a moratorium on new projects until such a strategy/plan was in place.

4.2.3 Need Determinations²²

Focus Groups

The option “SEC should continue to not be required to make a need finding” received strongest overall support as acceptable, with more than 60% in four focus groups (Transmission/Pipelines, Generation (non-wind), Wind Developers, and State Agencies), 50% in the other two groups (Environmental/Natural Resources, Citizen Groups/Local Government), and 63% of all focus group participants overall.

Citizen Workshops

“Need” was not polled or formally discussed, but was often mentioned in participant comments— with many citizens stating that a NH-based need determination should be made, and that projects not “needed” in NH should either be rejected or subject to greater local jurisdiction.

²² Some states reviewed in the Multi-State Report include a finding of need as part of their required findings (see pgs. 35-39). For instance, Connecticut requires that the Siting Council balance the public need or public benefit for a facility with the need to protect the environment. Other states, like Rhode Island, New York and Massachusetts, do not refer to a finding of need as necessary for siting approval.

Table 4-17: Focus Groups – Energy Policy

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	In practice, the SEC has referred to state policies such as the RPS and 25x25 goals to support a finding of need, but not instructed to tie to state energy policy.	8%	57%	83%	100%	71%	0%	80%	57%	46%
OPTION 2	Require finding that the project is aligned with state energy policy	83%	29%	17%	29%	0%	92%	40%	41%	51%
OPTION 3	Specify in findings and purposes what need means.	83%	43%	33%	14%	14%	92%	0%	40%	51%
OPTION 4	Require finding that the project is aligned with both state energy and natural resource protection policies.	75%	14%	17%	0%	43%	77%	0%	32%	42%
OPTION 5	Add filing requirement on relationship between project and state energy policy; No consistency with energy policy finding by SEC required	NP	86%	67%	100%	0%	8%	20%	47%	42%
OPTION 6	SEC should not be required to make a need finding	50%	NR	100%	100%	100%	50%	60%	77%	63%

Table 4-18: Citizen Workshops – Energy Policy

Choose your top choice from the following (choose one):	Manchester	Groveton	Keene	Newington	Plymouth	Average of 5 Workshops	All Workshop Participants
Status Quo	13%	8%	13%	43%	4%	16%	11%
Consistency with State Energy Policies	30%	32%	26%	24%	24%	27%	27%
Consistency with State Energy Strategy	58%	59%	61%	33%	72%	57%	62%
Totals	100%	100%	100%	100%	100%	100%	100%
Responses	71	37	31	21	120	N/A	280

4.2.4 Environment and Natural Resources

Focus Groups

The status quo received majority support as acceptable from five of seven focus groups (Business/Industry/Labor, Transmission/Pipelines, Generation (non-wind), Wind Developers, and State Agencies) and 58% of all focus group participants. The status quo is that individual agencies exercise their permitting authority for such resources as wetlands, water, and air. Wildlife must be taken under consideration in the SEC review though there is very limited permitting by wildlife agencies. Developing more specific criteria for the finding that a project will have no unreasonable adverse effect on environment and natural resources was acceptable to 54% of all focus group participants, but a majority in only three focus groups (Environmental/Natural Resources, Citizen Groups/Local Government, and State Agencies). Requiring the SEC to honor permit conditions (and not amend) when they exist or are granted from another agency had majority support in four focus groups (Environmental/Natural Resources, Transmission/Pipelines, Generation (non-wind), and Wind Developers), but only 44% of all focus group participants.

Citizen Workshops

This issue was not discussed in detail at the citizen workshops or polled directly.

Table 4-19: Focus Groups – Environmental/Natural Resource

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	Individual agencies exercise their permitting authority for such media as wetlands, water, and air. Wildlife must be taken under consideration in the SEC review though there is very limited permitting authority by wildlife agencies.	17%	86%	100%	100%	71%	27%	80%	69%	58%
OPTION 2	By reference, incorporate USFWS Wind and Wildlife guidelines and other appropriate guidelines for other facility types	50%	43%	33%	0%	29%	54%	0%	30%	36%
OPTION 3	Require a full environmental impact assessment for facilities over a certain size	58%	14%	17%	14%	0%	87%	60%	36%	44%
OPTION 4	Develop more specific criteria for the finding that a project should have no unreasonable adverse effect on environment or natural resources.	92%	29%	17%	29%	14%	74%	80%	48%	54%
OPTION 5	Where permitting exists or is granted by another Agency, the SEC should honor the permit conditions (and not amend).	63%	NR	100%	100%	86%	13%	0%	60%	44%

4.2.5 Potential Environmental and Natural Resource Impacts

Focus Groups. This was not discussed or polled with the focus groups.

Citizen Workshops

The potential impacts from energy facilities of *most* concern for workshop participants were visual impacts (26%), greenhouse gas/climate impacts (17%), air quality impacts (16%), water (14%), noise (12%), and wildlife (11%). The potential impacts from energy facilities of *least* concern in order were “Other” (20%), greenhouse gas/climate impacts (18%), noise (16%), visual (15%), air quality (14%), and wildlife (9%).

Table 4-20: Citizen Workshops – Impacts of Most Concern

Which of these energy facilities-related potential impacts concern you the most (choose two):	Manchester	Groveton	Keene	Newington	Plymouth	Average of 5 Workshops	All Workshop Participants
Water impacts	12%	14%	11%	5%	18%	12%	14%
Wildlife impacts	11%	11%	11%	9%	11%	11%	11%
Noise impacts	11%	11%	19%	7%	12%	12%	12%
Visual impacts	25%	31%	20%	12%	28%	23%	26%
Greenhouse Gas/Climate impacts	21%	14%	23%	40%	12%	22%	17%
Air Quality impacts (SO ₂ , NO _x , particulates)	18%	15%	14%	26%	15%	17%	16%
Other	3%	4%	2%	2%	3%	3%	3%
Total	100%	100%	100%	100%	100%	100%	100%
Responses	141	80	64	43	266	N/A	594

Table 4-21: Citizen Workshops – Impacts of Least Concern

Which of these energy facilities-related potential impacts concern you the least (choose two):	Manchester	Groveton	Keene	Newington	Plymouth	Average of 5 Workshops	All Workshop Participants
Water impacts	9%	14%	7%	7%	5%	8%	8%
Wildlife impacts	9%	11%	4%	9%	10%	9%	9%
Noise impacts	17%	11%	18%	36%	12%	19%	16%
Visual impacts	20%	11%	16%	31%	11%	18%	15%
Greenhouse Gas/Climate impacts	17%	20%	18%	4%	21%	16%	18%
Air Quality impacts (SO ₂ , NO _x , particulates)	14%	11%	19%	2%	16%	12%	14%
Other	14%	21%	19%	11%	25%	18%	20%
Total	100%	100%	100%	100%	100%	100%	100%
Responses	132	71	57	45	241	N/A	546

4.2.6 Visual Impacts

Focus Groups

The status quo (SEC review case-by-case, but no formal filing requirements or evaluation criteria) had majority support in four focus groups (Business/Industry/Labor, Transmission/Pipelines, Wind Developers, and State Agencies), but only the support of 39% of all focus group participants. The majority of six of the seven focus groups (all but Business/Industry/Labor) and 75% of all focus group participants support adopting visual impacts-specific filing requirements. The majority of six focus groups (all but Wind Developers) and 74% of all focus groups participants also support developing criteria on how visual impacts should be evaluated by the SEC.

Citizen Workshops

(64% gave “visual impacts related filing requirements” a rating of 5 or 6 (from effective to very effective) while 14% of responders gave this option a 1 (very ineffective). 70% gave “visual impacts related criteria” a rating of 5 or 6 while 15% of respondents gave this option a 1. Bar charts are included below for the workshops rather than data tables to reflect the results of polling this topic due to the fact that we polled each option separately.

Table 4-22: Focus Groups – Visual Impacts

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	SEC addresses visual impacts on case by case basis. However, no consistent, formalized visual impacts standards for energy facilities exist.	8%	57%	83%	43%	57%	20%	60%	47%	39%
OPTION 2	Adopt visual impacts-specific filings requirements such as visualization studies, viewshed studies, etc.	92%	43%	50%	86%	86%	73%	80%	73%	75%
OPTION 3	Adopt guidelines to mitigate adverse visual disruption (color, signage, screening, ridgelines/elevation, set backs, etc.)	67%	71%	17%	0%	57%	53%	40%	44%	47%
OPTION 4	Adopt standards to prohibit adverse visual disruption (set backs, heights restrictions, catalog of protected resources/sites.)	50%	0%	0%	0%	0%	53%	20%	18%	25%
OPTION 5	Develop criteria on how visual impacts should be evaluated by SEC	86%	NR	83%	71%	29%	93%	60%	70%	74%

Figure 4-1: Visual Status Quo

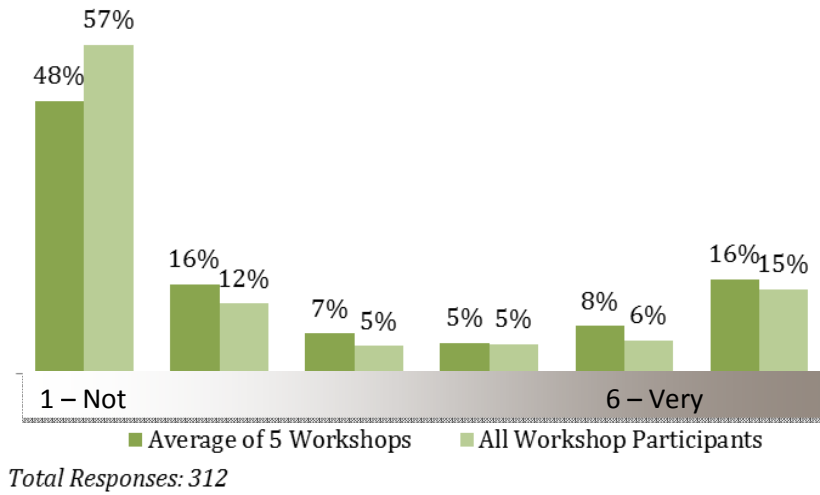


Figure 4-2: Visual Filing Requirements

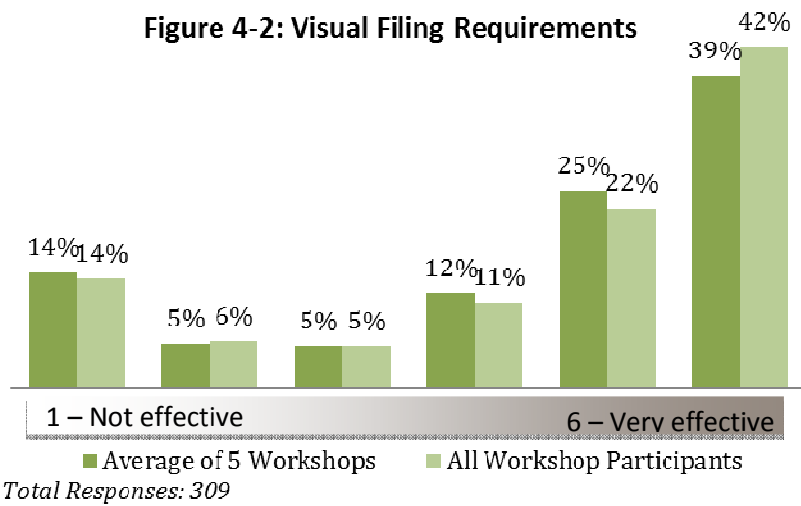
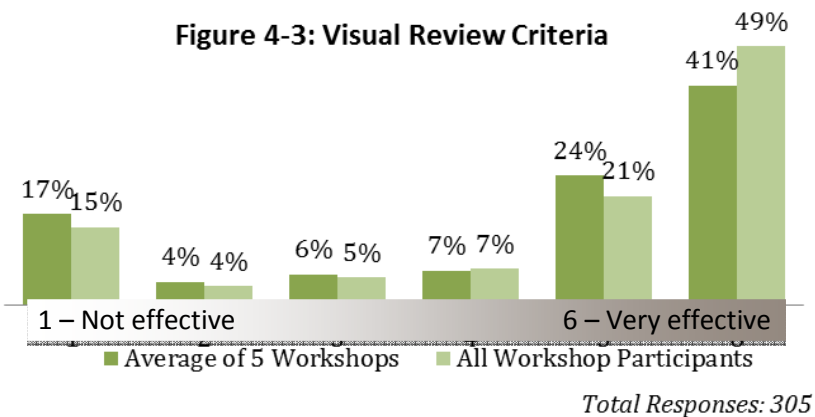


Figure 4-3: Visual Review Criteria



4.2.7 Noise Impacts

Focus Groups

The status quo (SEC review case-by-case, but no formal filing requirement or evaluation criteria) had majority support in four focus groups (Business/Industry/Labor, Transmission/Pipelines, Generation (non-wind), Citizen Groups/Local Government) with 50% of all focus group participants supporting it. 72% of all the participants and a majority in five focus groups (Environmental/Natural Resources, Business/Industry/Labor, Generation (non-wind), Citizen Groups/Local Government, State Agencies) supported a statewide relative noise standard. Adopting an absolute standard for noise or deferring to local noise standards received support from less than 50% of all focus group participants.

Citizen Workshops

21% of respondents gave “noise filing requirement” a rating of 6 (very effective), but 17% of respondents gave this option a 1 (not effective). 31% of all respondents rated “statewide noise standard” as a 6 (very effective), while almost the same amount (29%) ranked this option as a 1 (not effective). 42% of all respondents rated “local preference” as a 6 (very effective), but the next most common selection was 1 (not effective) at 21%. If a statewide noise standard were adopted, 77% of all respondents chose a “relative standard” with only 15% favoring an “absolute” noise standard. Comments on this topic included the options of having different absolute standards for different areas (urban vs. rural), or having both a relative standard with some absolute cap. Bar charts are included below rather than data tables to reflect the results of polling this topic due to the fact that we polled each option separately.

Table 4-23: Focus Groups – Noise Impacts

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	SEC addresses noise on case by case basis. SEC does not have a formalized and consistent noise standard. Some municipalities are developing them.	18%	71%	83%	100%	29%	50%	20%	53%	50%
OPTION 2	Adopt a statewide absolute standard (e.g. 55 dB as model ordinance in NY)	82%	0%	17%	17%	86%	50%	40%	42%	46%
OPTION 3	Adopt a statewide relative standard (e.g., no more than 10 dB above local background noise as in MA)	82%	57%	33%	100%	43%	83%	100%	71%	72%
OPTION 4	No statewide standard, but SEC incorporates local government set noise standard if exists	18%	57%	17%	0%	0%	75%	0%	24%	30%

Figure 4-4: SEC Filing Requirements for Noise

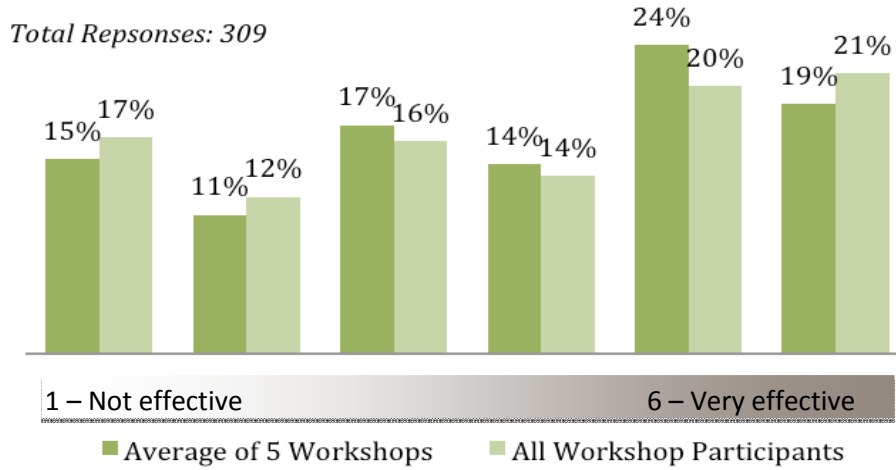


Figure 4-5: Statewide Noise Standard

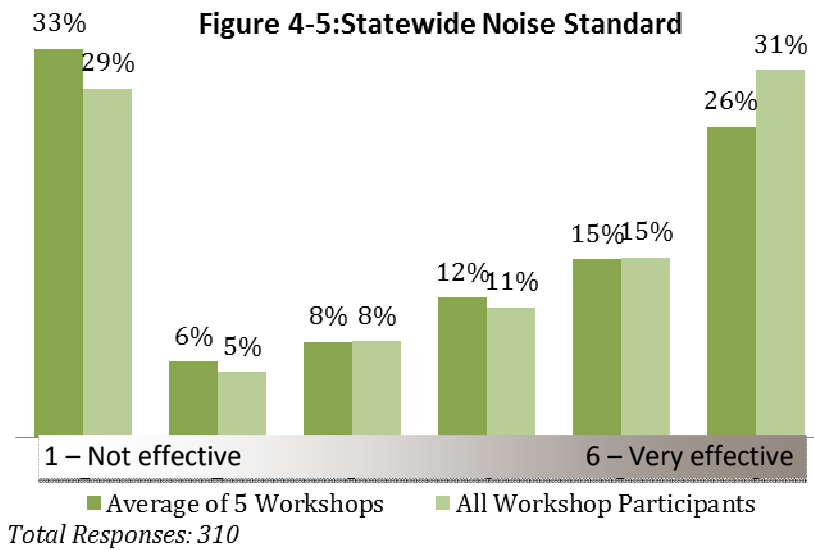
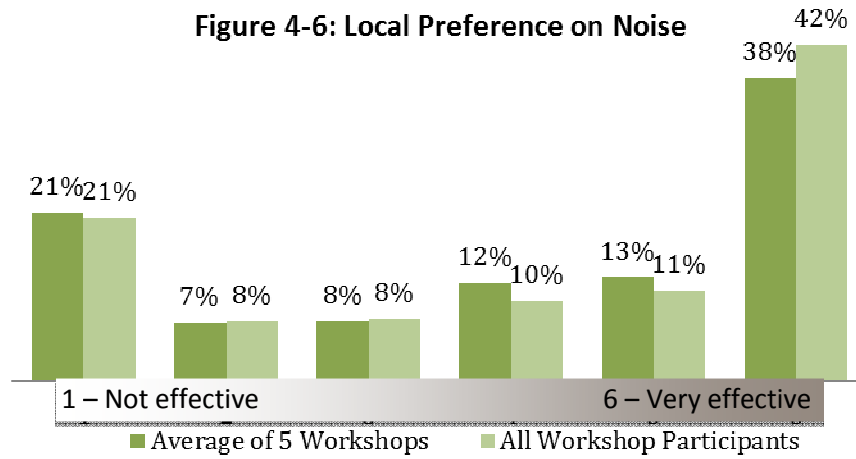
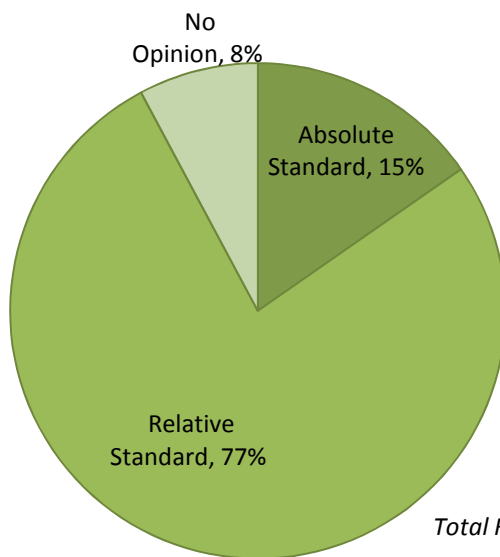


Figure 4-6: Local Preference on Noise



Total Responses: 306

Figure 4-7: State Noise Standard



Total Responses: 307

4.2.8 Orderly Development

Focus Groups

The status quo (SEC considers undue interference with orderly development of the region and applicants submit economic impact predictions) received a majority support in five focus groups (Business/Industry/Labor, Transmission/Pipelines, Generation (non-wind), Wind Developers, State Agencies) and with 51% of all focus group participants. 71% of all focus group participants and a majority in five focus groups (Environmental/Natural Resources, Transmission/Pipelines, Generation (non-wind), Citizen Groups/Local Government, State Agencies) think adopting more specific criteria for evaluating undue interference with orderly development is an acceptable choice. Adopting criteria for evaluating regional cumulative impacts within or across regions had majority support in four focus groups (Environmental/Natural Resources, Business/Industry/Labor, Citizen Groups/Local Government, and State Agencies) and was supported by 56% of all focus group participants.

Citizen Workshops

Although not formally discussed or polled, some workshop participants commented that the impact of energy projects on local and regional economies, tourism, and neighboring property values should be considered in siting decision-making. Many citizens also commented that the SEC should consider the cumulative impacts to an area or region, not just the impacts of a particular project.

Table 4-24: Focus Groups – Orderly Development

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	The SEC must consider undue interference with orderly development of the region. Applicants submit and the SEC reviews economic impacts predictions.	17%	63%	100%	57%	86%	29%	60%	59%	51%
OPTION 2	Provide resources for RPCs to conduct impact studies to ensure consistency with regional land use and economic development plans (RSA 36)	58%	38%	0%	71%	0%	86%	40%	42%	49%
OPTION 3	Adopt more specific criteria for evaluating undue interference with orderly development	83%	38%	50%	86%	29%	100%	80%	66%	71%
OPTION 4	Adopt criteria for evaluating regional cumulative impacts within or across regions	75%	50%	33%	43%	0%	86%	60%	50%	56%

4.2.9 Alternative Routes

Focus Groups

A majority of four focus groups (Transmission/Pipelines, Generation (non-wind), Wind Developers, State Agencies), but fewer than 50% of all focus group participants support the status quo (SEC reviewing the “available alternatives” filed by the applicant but no requirement to file the alternatives). Requiring analysis of alternative routes and undergrounding as part of a filing received a majority support in four focus groups (Environmental/Natural Resources, Generation (non-wind), Citizen Groups/Local Government, and State Agencies) and 65% of all focus group participants. Requiring analysis of alternative routes as part of a filing but undergrounding at the applicant’s discretion received a majority support in three focus groups (Environmental/Natural Resources, Business/Industry/Labor, and Transmission/Pipelines) and 52% of all focus group participants.

Citizen Workshops

66% of all participants selected “require analysis of alternative routes and undergrounding” as their preferred option. 17% selected “require use of existing Transmission/Pipelines corridors,” 11% chose the status quo, and 5% of respondents selected “require analysis of alternative routes as part of filing (but undergrounding analysis at applicant’s discretion).”

Table 4-25: Focus Groups - Alternative Routes

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Average of 7 Focus Groups (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1 / Status Quo	SEC considers "available alternative," however, no comprehensive analyses of alternative routes or use of existing right-of-way are required; applicant may include alternatives it considered in its application.	0%	57%	67%	71%	86%	21%	60%	52%	44%
OPTION 2	Require analysis of alternative routes and undergrounding as part of filing	100%	14%	33%	71%	14%	100%	60%	56%	65%
OPTION 3	Require state to designate acceptable Trans/Pipe corridors and then give preference for location in those corridors	45%	14%	33%	29%	0%	64%	40%	32%	37%
OPTION 4	Require use of existing Trans/Pipe corridors /developed rights-of-way as first option	45%	14%	17%	57%	0%	57%	20%	30%	35%
OPTION 5	Require analysis of alternative routes as part of filing (may include undergrounding at applicant’s discretion)	83%	100%	50%	43%	29%	36%	40%	54%	52%

Table 4-27: Citizen Workshops – Alternative Routes

Choose your top choice from the following (choose one):	Manchester	Groveton	Keene	Newington	Plymouth	Average of 5 Workshops	All Workshop Participants
Status Quo	14%	11%	0%	43%	8%	15%	12%
Required Alternative Routes and Undergrounding Analysis	59%	79%	61%	33%	73%	61%	66%
Required Alternative Routes Analysis Only	7%	3%	13%	10%	2%	7%	5%
Required Existing Rights of Way Use	20%	8%	26%	14%	17%	17%	17%
Totals	100%	100%	100%	100%	100%	100%	100%
Responses	70	38	31	21	126	N/A	286

4.2.10 Alternative Sites

Focus Groups

A majority of five focus groups (Business/Industry/Labor, Transmission/Pipelines, Generation (non-wind), Wind Developers, and State Agencies) and 57% of all focus group participants supported the status quo (SEC reviewing the “available alternatives” filed by the applicant but no requirement to file the alternatives). A majority in three focus groups (Environmental/Natural Resources, Business/Industry/Labor, and Citizen Groups/Local Government) and 41% of all focus group participants supported requiring alternate site analysis as part of filing. Allowing SEC to request that alternative sites be presented during a proceeding without triggering a new application was supported by a majority in only two focus groups (Environmental/Natural Resources, Citizen Groups/Local Government), but by 52% of all focus group participants.

Citizen Workshops

56% of all participants selected “require alternative site analysis” as the preferred option. 22% selected “require applicant to consider alternative sites and delineate the reasons why it selected the proposed site” with 13% preferring the status quo and 9% selecting “require analysis of alternative configurations and placements on the proposed site.”

Table 4-28: Focus Groups – Alternative Sites

		Enviro/ NR	Biz/ Labor	Trans/ Pipe	Gen	Wind	Local	State	Avg. of 7 Focus Grps. (Equally Weighted)	Avg. of All Participants (Equally Weighted)
OPTION 1/ Status Quo	SEC considers "available alternatives", however, no comprehensive analyses of alternative sites are required; applicant may include alternatives considered in its application.	0%	57%	100%	100%	100%	29%	100%	69%	57%
OPTION 2	Require analysis of alternative sites as part of filing	67%	57%	0%	14%	0%	64%	40%	35%	41%
OPTION 3	Allow SEC to request alternative sites to be presented during the proceeding without triggering new application.	92%	43%	17%	14%	0%	93%	20%	40%	52%
OPTION 4	Require state to designate areas not acceptable for energy facility sites.	42%	14%	17%	14%	0%	57%	80%	32%	34%

Table 4-29: Citizen Workshops – Alternative Sites

Choose your top choice from the following (choose one):	Manchester	Groveton	Keene	Newington	Plymouth	Average of 5 Workshops	All Workshop Participants
Status Quo	17%	16%	0%	48%	6%	17%	13%
Alternative Site Configuration Analysis	9%	5%	0%	14%	11%	8%	9%
Alternative Site Consideration	27%	24%	32%	5%	20%	22%	22%
Alternative Site Analysis Required	47%	55%	68%	33%	63%	53%	56%
Totals	100%	100%	100%	100%	100%	100%	100%
Responses	70	38	31	21	126	N/A	286